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## PREFACE.

Volume 37 covers the productions of the Journal in the years 1948, 1949, 1950 and 1951. It includes a wide variety of articles, and should have something of interest for most archaeological tastes. It numbers among its contributors such tried and trusted scholars as our President, the Rev. Dr. Whiting, to whose article on Richard Rolle of Hampole attention is directed, the Rev. J. S. Purvis who is constantly bringing to light something of fresh interest in his researches at York, and Professor A. G. Dickens whose article entitled "The Extent and Character of Recusancy in Yorkshire, 1604", is of especial interest to scholars. We have been glad to welcome to our pages some new contributors who have by no means lowered the standard of our publications. Among such we would refer to the work of Mr. J. A. Knowles in his exceedingly interesting and knowledgeable study, "Technical Notes on the St. William Window in York Minster", to that of Mr. K. Darwin in his valuable historical contribution entitled "John Aislabie 1670-1742", to the challenging articles by Mr. M. W. Beresford on "Glebe Terriers and Open Field, Yorkshire" and his first portion of "Lost Villages of Yorkshire", and finally to the valuable contribution of Professor Anna J. Mill, entitled "The Stations of the York Corpus Christi Play," which sheds new light on a subject particularly topical in this "Festival Year" of Britain.

Roman Yorkshire, edited by Miss Greene, occupies rather more than the usual number of pages in this Volume, and has been copiously illustrated. In this connection we would refer in particular to the fine illustrations of the Roman Villa at Brantingham, and the attractive restoration work of the Hull Museum Authorities.

The cost of printing and production has soared to such an extent in the period which this Volume embraces, as to enforce a limitation to the number of pages in future Numbers of the Journal, but not, we are sure, to their quality.

In conclusion we would express our best thanks to all contributors.

J. W. HOUSEMAN, *Hon. Editor.*

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EDITORIAL NOTES.

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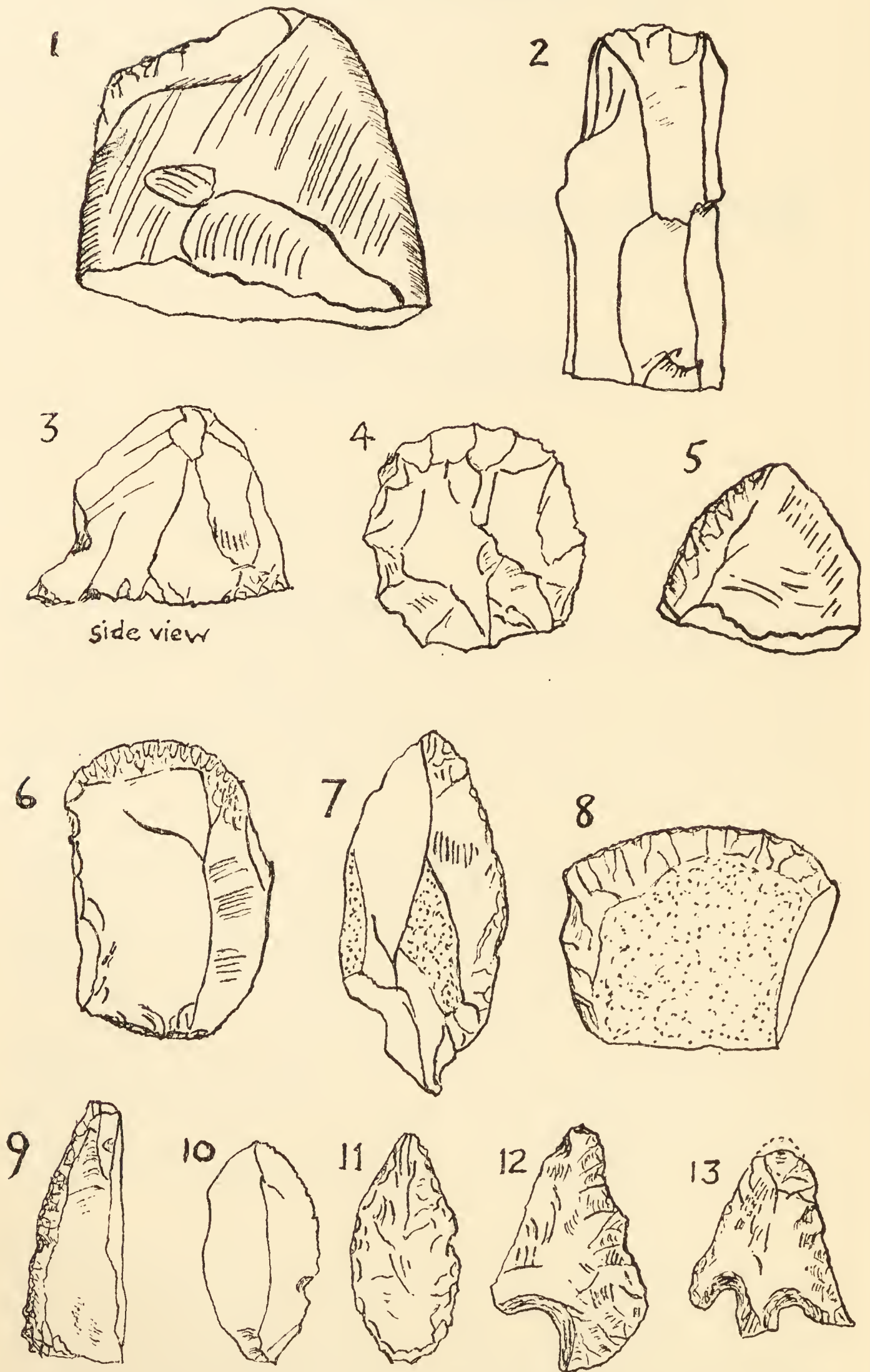
FURTHER NOTE ON HUTTON-LE-HOLE, N.R.Y.

Since the note in *Y.A.J.* 143 (1946) was written the site at Ox Close has again been visited, and further flints recovered both by the writer (in 1945 and 1946), by Mr. Clarence Smith of Ox Close, and by Mr. C. E. Fox of Boston Spa (1946). In addition to the area already described on Ox Close Farm, finds were made on fields in Spaunton parish east of the farm, at Riccal Head ( $\frac{1}{2}$  mile N. of the farm), and on Hutton Nab (W. of the village), at the two latter sites by Mr. Fox.

At all these sites flints showing the characteristics typical of the district were found, mostly round (No. 4) and "conical" (No. 3) scrapers, other scrapers of various kinds (Nos. 6, 8), knives (No. 7), saws, points (Nos. 9, 10), and borers (No. 5 is a triangular example). These are all on flakes, generally small; some show careful secondary pressure-flaking, and some have evidently been reshaped for later use. Several pieces are of primitive appearance, and show Mesolithic characters; most however have a Neolithic to Early Bronze age appearance. The round and conical scrapers are highly characteristic, and together account for about a sixth of all flints found. It may be noticed that microliths of the late Tardenoisian type (similar to the Farndale examples published by the Hull Museum) have been found near Riccal Head.

A leaf-shaped arrowhead (No. 11) was found in the fields in Spaunton parish, and a lop-sided arrowhead (No. 12) on Lingmoor Farm ( $\frac{1}{2}$  mile S.E. of Ox Close), where several flints have been collected by local people. Mr. Fox recovered a thin lozenge-shaped arrowhead, a tanged and barbed, and a leaf-shaped arrowhead, and also a small pear-shaped (?) scraper. (The tanged and barbed arrowhead, No. 13, was referred to in the earlier article).





Flint Implements from Hutton-le-Hole ( $\frac{1}{1}$ )

Mr. Smith found the butt end of a polished flint axe (No. 1) at Ox Close Farm; this is of typical Neolithic form, and the complete axe would have been about 4-5 inches long. Polishing is not complete, but is interrupted by the flaking of the surface. The edges are slightly flattened.

Two fabricators were also found, of normal wedge-shaped form. (No. 2).

In addition, a fragment of Crambeck ware was found at Ox Close, on the surface—this is of coarse grey paste, containing small pieces of chalky grit; the fragment is plain, dark grey inside and reddish outside, and is  $\frac{1}{4}$  inch thick. A few other sherds of this ware have been found in the Hutton district.

In all, in the two years under notice, 44 implements were found by Messrs. Smith and Wood, and 27 by Mr. Fox, as well as a large quantity of waste chips, flakes, etc.

The whole area is kept under constant observation by Mr. R. W. Crosland and Mr. R. Hayes of Hutton, who have recovered considerable quantities of material.

In view of the non-availability, at the time of writing, of the National Grid editions of the Ordnance Sheets (1 inch and other) covering Hutton-le-Hole, the following references for the sites mentioned in this article are given in terms of latitude and longitude on the 6-inch sheets, edition of 1914 :—

#### N.R.Y. LXXIV. S.E.

Ox Close, main area	0° 54' W, 54° 17' 20" to 30" N
Riccal Head	0° 54' W, 54° 18' N
Spaunton (near village)	0° 53' 30" W, 54° 17' 45" N
Spaunton (opposite Ox Close)	0° 53' 30" W, 54° 17' 20" N
Lingmoor	0° 53' 45" W, 54° 17' N

#### N.R.Y. LXXIV. S.W.

Hutton Nab	0° 55' 40" W, 54° 18' 10" N
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Since writing the above further microliths have turned up at Lingmoor, and at Ox Close itself, including a transverse arrowhead.

E. S. WOOD.

## NUNKEELING CHURCH.

The church of Nunkeeling, on the site of a small house of Benedictine Nuns is about to be demolished, having been in a dilapidated condition for some years. The church itself is of no interest having been built in 1810, but it contained two effigies of the Fauconberg family, a knight described in the late Mr. I'Anson's paper on Yorkshire effigies (*XXVIII Y.A.J.* 372) and a lady probably of the same family. These have been removed to Hornsea Church where they will be preserved on plain stone bases. Also it contained a 13th century font, with a cup bowl on drum with four attached shafts; this has been removed to the modern church of St. Martin's, North Road, Hull.

R. H. WHITEING.



## RICHARD ROLLE OF HAMPOLE

BY C. E. WHITING, D.D., D.Litt., B.C.L., F.S.A.

In the thirteenth and fourteenth centuries the intellectual and spiritual life of western Christendom was manifested in two directions, scholasticism and mysticism. Scholasticism, taking the principles of metaphysics and logic as found in Aristotle, tried to build up the whole mass of Christian doctrine into a harmonious unity, manifesting the intimate union between faith and reason, theology and philosophy. In the thirteenth century scholasticism rose to its height under Alexander of Hales, Albert the Great, Thomas Aquinas and others, the last-named an intellectual giant who knows no fellow, without it be Aristotle himself. Scholasticism was principally an intellectual movement. Mysticism was a theology of experience, spiritual illumination and ascetic morality. The mystics believed in a direct and immediate communion with God, an exact knowledge or perception of God, attainable by contemplation, and attained by a progress of purification and illumination towards the goal of the vision of God and the realization of heavenly glory. The mystics inculcated ascetic holiness directed to the attainment of the Beatific Vision. Some of them like St. Bernard (1091-1153), Hugo of St. Victor (1097-1141), Richard of St. Victor (d. 1173) and Adam of St. Victor (d. 1192?) were poets, and their poetry was pervaded by their spiritual illumination as well as theological knowledge. In England the intensity of religious feeling was shown in the rapid increase of monastic houses, and the multiplication of hermitages where men spent their lives in solitary devotion. Some of them, by their writings, did much for the spiritual life of the English people. In the fourteenth century four great English mystical writers stand out above the rest, St. Juliana of Norwich (1343-1413?) who lived in the little cell attached to St. Julian's church in that city, recently destroyed by the Germans; Walter of Hilton, (d. about 1396) Canon of Thurgarton, Notts., author of *The Ladder of Perfection*, the anonymous author of *The Cloud of Unknowing* in the second half of the century, and Richard Rolle. Of the four Rolle was the greatest, and has a claim without a doubt, to one of the lesser seats among the great company of mystics, which includes St. Buenaventura, St. Teresa and St. John of the Cross.

A mystic is not a mere dreamer or visionary enthusiast nor the holder of vague and misty conceptions. Mystical theology comprises two parts, the doctrinal, based on the divine revelation to the Catholic Church, and the experimental, the knowledge of God acquired in divine contemplation. It is *mystical* because it is acquired by a secret operation known only to God and the favoured disciple, and it is experimental because only by personal spiritual experience can such knowledge be attained.

Mysticism then is that part of theology which expounds the principles and formulates the rules of Christian perfection, culminating in the union of the soul with God. Understanding this we can have a better conception of a writer, of whom Professor Horstman, his editor, has described as one of the most remarkable men of his time.

Much of our information about Richard Rolle's life comes from the *Office* which was drawn up after his death, probably at the instigation of the nuns of Hampole. This Office was inserted in the York Breviary. There was a set of propers for all the hours, including nine lessons for matins on the day of the feast and for the Sunday in the Octave. For four other days three lessons each were provided but there was a missing day. If provision was made for this, that part of the Office has been lost. There was also a complete set of propers for the Mass. A note in the *Breviary* states that the office was prepared in readiness for his canonization and until then might not be used publicly, although since he was a person of such eminent sanctity, the prayers might be used privately. Two MSS. give also the *Miracula*. The miracles described, twenty-seven in all, belong to the years 1381 to 1383, so this part at least of the service was written after the latter date. The canonization never took place. The Black Death has been ascribed as a reason, as breaking up the continuity of the monastic life, but here at any rate there was sufficient continuity for his life to be remembered and his canonization to be sought. By the end of the fourteenth century the Lollards were found to be adapting and interpolating his works. This, and the fact that he had many enemies during his life, whose enmity doubtless survived in at least some official records, may perhaps be taken as the real reason for the denial or neglect of canonization. Wilson's *English Martyrology* (1608) has a note under Nov. 1st: "Commemoration of Blessed Richard, Confessor and Hermit." . . . "Whose singular spirit of piety and devotion is left written and manifest to the world by his own works yet extant."

Richard Rolle, we are told, in the *Office*, was born in the village of Thornton. The Bodleian manuscript of the *Officium* has a note by a later hand; "*juxta Pickering.*" There are many Thorntons in Yorkshire, but the one near Pickering, two and a half miles to the east of it, is Thornton-le-Dale, and this seems to be generally accepted as his birthplace. There was a Richard Rolle, a villein, living in Thornton-le-Dale some hundred and fifty years previously to Richard, but if he is a connexion in any way the family must have risen in social status by Richard's time. There was a Hugo Rolle at Thornton-le-Dale in 1300 or thereabouts. In the Lay Subsidies of Edward III. in 1327 and 1333 we find the name of William Rolle of Aiskew and Leeming and of Yafforth. This may be Richard's father, who may have acquired some property additional to whatever he had at Thornton. It might equally well be Richard's brother. Perhaps then the family had moved into Richmondshire and when he became a hermit, he



retired towards his old home between thirty and forty miles away. His father was probably poor, inasmuch as Richard went to Oxford at another person's expense. This was Thomas Neville, son of Ralph Neville, lord of Raby, Brancepeth and other places. His family were Lords of Snape and Wall, not very far from Yafforth and Aiskew. Neville was born about 1291, perhaps a year or two later, and since the patron is generally older than the protégé, the generally accepted date of Richard's birth, about 1300, is probably not far out.

Neville's high birth ensured him promotion. Among other preferments he held the Mastership of Sherburn Hospital, Durham, and later was made Archdeacon of Durham in 1343. He seems, too, to have been a distinguished lawyer. Richard who had received an early education by the efforts of his parents, must have shown promise, or he would hardly have been taken under the patronage of such an eminent man. He went to Oxford, doubtless at the usual age of fourteen, and stayed there at least four years. How he distinguished himself at the University we do not know. If he was there so long he probably took a bachelor's degree. We know that he had some knowledge of Greek and a little Hebrew, and we also know that most of his earlier writings were in Latin. Before he left Oxford he would have completed the three years of the *Trivium* (grammar, logic, rhetoric) and would thus have qualified to "determine" as a Bachelor, after which he would proceed to the study of the *Quadrivium* (arithmetic, geometry, music and astronomy). Miss Comper suggested that he may not have proceeded Bachelor because of the expense.<sup>1</sup> He probably took the minor orders at Oxford. If he had finished with the *Trivium* he was entitled to do so. Richard was not interested in the subtleties of the philosophers and the arguments of the schoolmen. He wanted religion rather than theology. It is very likely that the Franciscans, and especially William of Ockham, influenced him in that direction. In the *Incendium* he says, "My youth was foolish, my childhood vain, my young age unclean." In the *Melum* he speaks of his desire to expiate "the sin which as a boy I committed." This may refer to some youthful indiscretion at Oxford and some have hastily guessed a love affair. It may however simply be what seems to the worldling the exaggerated repentance of the saint. In his nineteenth year he left Oxford and returned home, doubtless to the disappointment of his father, to say nothing of Thomas Neville. This would be in 1318. Now we are presented with a difficulty which never occurred to his earlier biographers. The Milan text of the *Incendium* (1452) calls him Richard Parisiensis—a secular priest and a Master of Theology. Wilson's *English Martyrology* called him a doctor. In an article in *The Month*, Jan. 1926, Dom. Noetinger declared him a skilled theologian and a Doctor of Theology. It is certainly true that his knowledge of other writers seems extensive. Augustine and Anselm seem familiar. He uses the work of Buonaventura for his *Meditations on the*

<sup>1</sup> F. M. Comper, *Life and Lyrics of Richard Rolle*, p. 35.

*Passion.* He knows Hugh and Richard of St. Victor. He quotes from Aristotle on his *Moralia* and he translates from Caesarius of Heisterbach. His years at Oxford could hardly have gained him sufficient learning for his *Latin Psalter* or his commentaries written somewhere between the ages of twenty-five and thirty-five. It would seem in the light of modern researches that he studied for a time in Paris at the Sorbonne. That college provided free instruction for secular poor clerks in a hostel and it had a considerable library. His commentaries addressed to the learned would give him a better reputation than his cruder earlier works full of fiery denunciation of the evils of the Church. Dom. Noetinger, who sees in him a fellow and doctor of the Sorbonne, thinks that the early patronage he received would be far more readily given to a person of such academic rank than to a mere youth who had adopted the hermit life. In the Arsenal Library, Paris, various scraps of information have been discovered. Thus in MS.-in-folio 133 we have the names and dates of the early Provisores of the Sorbonne and in the time of the fifth Provisor (1315-20) ten names are given, the seventh of which is Richardus de Hampole. In MS. 1022 we have a note that he lived in the Sorbonne in 1326. That Rolle studied the Scriptures at the Sorbonne is quite possible. It was a post-graduate course there, for which his years at Oxford would prepare the way, but that he became a fellow (*socius*) there is no evidence. Even if he remained there for six years it was not long enough for him to be made a doctor, and he almost certainly was not. The Arsenal MS. calls him Richard of Hampole, a name he had not acquired at that time, and therefore must be the work of a compiler of later date. It is probable, as we shall see later, that he was there for a year or a little more about 1320 and again in 1326. It is to be noted that the *Officium* makes no reference to any stay in Paris, or any connexion with the University there. It makes him turn hermit immediately after his return from Oxford.

When he did so he had no money with which to buy himself a habit, and the story runs that he begged two dresses from his sister, one white and the other gray. These he cut and altered so that he had the white for the under-tunic and the gray above. With his father's rain-hood he was now clothed something like the Augustinian hermits who wore a white under-garment, and a gray outer one, together with a large black hood. His sister thought he was mad, but he drove her from him and went on his way, arriving at last at Pickering. That evening (it was the Vigil of the Assumption, 14th August) he went into the church, and not realizing that he was occupying the spot where Dame Dalton usually said her devotions, he became wrapped in prayer. When the lady arrived her servants wished to turn him out, but taking compassion on the earnest youth she refused to allow him to be disturbed. Next morning, without the command or invitation of anyone he sang in the choir at matins and, after asking the priest's blessing, he preached at Mass in such a way as to bring



tears to the eyes of the listeners. This goes to prove that he was at least in minor orders, a layman would hardly have dared. Dame Dalton's sons recognized him as a fellow student at Oxford, and John Dalton her husband invited him to dinner.

It has been said that all this took place at Topcliffe, but the late Mr. William Brown told Miss Allen that there was no one of the name of Dalton residing at Topcliffe during Richard's early years. If the latter's home had still been at Thornton, one would have thought that the elder Daltons would have known him. If, on the other hand, the Rolles had moved to Aiskew or Yafforth, this would be easily explained. He had run away from home and from Thornton to Pickering was only two miles and a half. The young Daltons only knew him as an Oxford student. John Dalton, the father, was one of the chief retainers of Thomas Earl of Lancaster and was Constable of Pickering castle for him.

On the way to the Dalton's house Richard's shyness came upon him and when they arrived he took refuge in "a certain mean old room," where after a search his host found him. At dinner, though placed above the sons of the house, he hardly spoke, rose up to depart before the meal was ended and sat down again shamefacedly when told that that was not good manners. Many people would have gladly parted from such an uncouth guest. Dalton asked him if he were the son of his old friend William Rolle and received the hesitating reply: "Perhaps I am." "*Iste armiger patrem suum veluti sibi familiarem grata affectione diligebat.*" The word *familiaris* was the usual word for members of a great household, but it was also used in the sense of "friend." According to one sense of the word Rolle's father has been looked upon as an *armiger*, and on the other hand as a householder employed on the estate of the Earl of Lancaster, or on the property of Dalton himself. That the latter did not know Richard is not surprising in either case, if he had been away at Oxford.

Dalton drew from the younger man his hopes and ambitions. He kept him some time in the house, provided him with a room in which he could be alone and also procured for him a proper hermit's dress. Later he left the house and found a cell in a more retired place on the estate. We are told how the lady of the house came to him one day with some friends and found him writing. They begged him to speak some words of edification to them, which he did for two hours, continuing all the time to write words which differed from those he was speaking. There is a description in the *Officium* of how he comforted the deathbed of the lady of the manor and drove away the demons who were troubling her. This may have been Dame Dalton or it may have been some other patroness.

We now come to chronological difficulties. If the John Dalton mentioned was the Constable of Pickering and there is very little reason to believe otherwise, he was implicated in the rebellion of the Earl of Lancaster, was deposed from his office on

22nd March, 1322 and suffered the confiscation of his estates. He was released from prison on 5th April, pardoned 13th of June, and his estates were returned, but not the constablenesship. However, in 1323, lands in Kirkby Misperton were settled on him, with remainder to his sons John, Thomas and Nicholas. In 1324 he received the manor of Kirkby Misperton, and became an esquire. He received several favours from King Edward II.

All this trouble may explain why Richard left the Dalton estate but we have no certainty about it. When he wrote the *Judica me* he seems to have already begun his wanderings. If he left Oxford in 1318, did he become a hermit at once, and then go to Paris in 1320, and afterwards return to the hermit life? What account we have of his life with the Daltons seems to make it continuous. It would ease the difficulty if we could fix his birth a year or two earlier, which would give him some time with the Daltons. Then the beginning of his wandering life might be his time at Paris about 1320, then would follow more wanderings, his second period at the Sorbonne about 1326, and then perhaps, having arrived at some maturity, he might have settled down.

The general suggestion given us about his hermit life is that for over four years there was a continuity, during which he began to experience the fiery glow of love with its fragrant sweetness and at last arrived at the *canor*, the heavenly music in his heart. In his ascetic life he passed through the purgative and the illuminative ways and arrived at last at the unitive way wherein the soul becomes more and more united to God. At times he was so wrapped in meditation as to be quite unconscious of what was going on around him. On one such occasion his friends took his tattered habit from him and mended it without his knowledge.

When he left the Daltons Rolle wandered from place to place for some time. He describes himself as being like Cain, a wanderer on the face of the earth. He had an idea that by seeing a number of places he might choose the most suitable in which to make his abode. "I am no more obliged," he said, "to remain in one hermitage than another." Ill-fed and ill-clad he suffered from exposure and hunger. Afterwards he warned his readers against excessive self-neglect. On account of his austerities he had suffered from terrible pains in his head. Let men beware of the temptation to ostentatious piety. His settled rule at last was that on Mondays, Wednesdays, Fridays and Saturdays he confined himself to bread and water, on the other days of the week any food that came his way, except meat.

In those days he had many enemies. The *girovagi*, the wandering hermits, had a bad reputation and he was confused with them. Some people said he called himself a hermit and feasted at the tables of the rich. Probably other well-to-do people had entertained him beside the Daltons, but feasting was the last thing he thought of: his custom being to take in moderation what was set before him. His attacks, in his earlier writings, on the worldliness of the clergy would give offence: the wealthy Neville



might easily be offended. Rolle speaks of one chief adversary, and from his remarks on prelacy we may hazard a reasonable conjecture that this was Melton, Archbishop of York, himself a great pluralist. Hermits usually were under episcopal control and received episcopal licence. We have no evidence that Richard ever received such a licence. He complained that he was forbidden to preach. This being so, he resolved to talk with individuals, and he considered, to use his own words, "if I might be able in some good way to compose or write something by which the church of God might grow in divine delight." No doubt he had caused offence in ecclesiastical circles by his fiery denunciations of evil, but he found they were useless. Reformation must come in other ways and be mellowed as time went on. He tells us that his best friends in secular life had now become his worst enemies. Dalton *may* have been offended by Richard's remarks about the rich and avaricious in his *Commentary on Job*, but it was rather unlikely that he could read it. John Dalton was wealthy, avaricious, and violent and very unpopular with the people over whom he had control. Probably he thought the young hermit might be useful to him and when he found he was not what he expected he became careless in his treatment of him. A passage in the *Judica me* suggests that Richard's cell was near a storehouse where continual activity made quiet almost impossible.

During the period of his wanderings he probably was reduced to begging at the door of the monasteries like other poor men. Monks, some particular monks, however, were especially his enemies. No doubt his assertion of the superiority of the solitary life to the monastic had something to do with the quarrel. Miss Allen suggests that the particular monks were those of Rievaulx or Byland. The Scots had harried these two monasteries in 1322 and Richard had seen in their sufferings the judgment of God. The particular monastery, however, may have been Rievaulx, whose abbot was the principal land owner in Thornton-le-Dale. It is possible that the culmination of the combined persecution was in 1326 and that then he withdrew to Paris.

After his period of wandering he settled down in Richmondshire and became a real hermit, no longer dependent on a rich patron, but living entirely in solitude. Now he began his commentaries on the Scriptures and as time went on he wrote less in Latin and more in English. He no longer desired to reform everything and everybody, he was the friend of recluses and nuns, and was always ready with spiritual advice for those who sought it.

In Richmondshire, Richard became the friend and director of a certain Dame Margaret, referred to in the eighth lesson in the *Officium*, which speaks of her as sometime (*olim*) a recluse at Ainderby in the diocese of York. There seems no doubt that this was Margaret Kirkby or Kirby for whom he wrote the *Form of Perfect Living* in which, by the way, he refers to her youth, but this might mean anything up to thirty years of age. For her also he had written, perhaps, some ten years before her death, his English

Psalter, and the unknown writer of a prologue to that work called her a recluse, but the prologue was later than the book and she *may* not have been a recluse when Richard was writing his earlier work. In the Register of Archbishop Zouche we read that on 13th December, 1348, a commission was issued to the Abbot of Eggleston to enclose "*Margaretam la Boteler, sororem domus monialium de Hampole*" in a certain cell (*domo*) of the chapel of East Layton. Again in January 1357 Archbishop Thoresby of York issued a commission to the abbots of Jervaulx and Eggleston to transfer a recluse named Margaret from Layton to a place near the parish church of Ainderby, where according to her petition she might be able to see and hear the holy sacrament.<sup>1</sup> But was this Margaret, Margaret Kirkby? Miss Allen thinks she was, because a family of le Botelers lived at Skelbrook in the parish of South Kirkby and thus she would be Margaret le Boteler de Kirby. But we have no knowledge that that family had a daughter named Margaret. There are difficulties about this identification. The *Officium* speaks of Dame Margaret as living in her house. On Maundy Thursday, in a year unspecified, she was taken ill with what might have been some epileptic attack, and "a certain goodman of that town" rode twelve miles to where Richard was and brought him back. After thirteen days illness violent convulsions seized her and when she came through she had recovered her speech. It is not stated that Richard cured her, but that he told her that since her speech was restored she must use it for good. A little while after she endured a similar attack; Richard was present and had to hold her hands to prevent her doing violence. Then she had a heavy fall and recovered. Richard promised her that she should not suffer again in the same way as long as he lived. After several years (*quibusdam annorum curriculis*) the third violent attack came and the good householder was sent for Richard, who was now very far away. "So the said man came to Hampole, and he learnt that the saint was dead and that he had departed just before her sickness broke out again." Afterwards, the lection tells us, she removed to Hampole and never afterwards was so afflicted.

The two stories are not easy to fit together. The difficulty of the whole matter lies in the identification of Margaret le Boteler and Margaret Kirkby and that both names are connected with Ainderby. Richard knew Margaret Kirkby as far back as the writing of the English Psalter. He lived at Hampole for the last days of his life. Margaret Kirkby was living in Richmondshire while Richard was there. We have no evidence that she was ever a nun of Hampole. She was a recluse and may even have lived at Ainderby at the time when there was perhaps a hermitage already in existence. Either there, or before she became an anchoress, Richard was present at two of her illnesses. Then he moved away to Hampole and after his death she too moved thither and was enclosed for a space of ten years.

<sup>1</sup> Clay, *Hermits and Anchorites of England*, 1914, p. 143n.



Anchoresses and anchorites were not allowed to change lightly their place of abode, and this accounts for some of the ecclesiastical hostility to Richard during his wandering years. Margaret le Boteler had to have special licence to move to Ainderby. It is hardly likely that she would be granted another licence to move to Hampole for some time after 1357. Margaret Kirkby moved there because she felt safer near his tomb. The Vienna MS. 4483 gives the information on the authority of a monk who was a Bachelor of Theology that she occupied his cell ten years and then died. Margaret was a common name. There is no reason to deny that two Margarets may have been anchoresses at Ainderby. A woman of family, the le Botelers were *armigeri*, had no need to change her name. It would seem to me then that the difficulty would be solved if we recognised two Margarets.

The manor of Hampole was held in the time of Stephen by William de Clairfait and Avicia his wife. About 1150 they founded the priory as a Benedictine house. In 1156 Adrian IV ordered that the nuns should follow the rule of St. Benedict and he granted free sepulture to all who should be buried there. The nuns, however, changed at a later date to the Cistercian rule and as time went on they had lands or property of some kind or other in Melton, Bretwell, Lincoln, Whitworth near Rochdale, Clayton, Adwick and Brampton, besides the advowsons of Melton and Adwick. A few scattered relics of the convent are to be seen to-day in various parts of the village and some preliminary excavations in 1936 revealed what I suspect to be the north-east corner of the chancel in the field between the garden of Hampole Priory House and the brook.

There was no parish church at Hampole. The convent chapel would supply all Richard's needs. Benefactors were buried there. Thus Thomas Anne of Frickley, on 11th February, 1467, made a will leaving the prioress and nuns of Hampole an acre of meadow on condition that they should say *De Profundis* for him every day, and to the prioress twelve pence and to every nun sixpence to pray for him, the money to be paid on the day of his burial, which he requested should take place in the Church of Blessed Mary of Hampall.

Hither then came Richard, henceforth to be known as Richard of Hampole, now perhaps in his early forties. Elizabeth Fairfax was the prioress at the time. Two MSS.<sup>1</sup> say that he lived in the cemetery of the nunnery. Wilson's *Martyrology* says he lived in a wood nearby. He describes his cell as a secluded hut. On the Doncaster-Wakefield Road there was a small building traditionally ascribed to him and there was a certain excitement about it a few years ago. To begin with it could hardly be described as a hut, the front was certainly eighteenth century and probably was of that type of building with which people of that age loved to adorn the scenery. The rough masonry inside might

<sup>1</sup> Bodleian 16 and Laud 528.

be anything. Possibly some of the stones came originally from the ruined priory.

Naturally, as he was a hermit, we know little of Richard's life at Hampole. We only know that he died there. In 1349 the Black Death ravaged Yorkshire and three-quarters of the inhabitants are said to have been carried off. All the evidence points to his death on 29th September that year. On the feast of St. Michael and All Angels he, who had so loved the angels' music, passed away. Did someone in a day or two gather up the courage to peer fearfully into the hermitage and find him dead? We cannot tell. In the *Incendium* he wrote, "Death shall be to me as heavenly music," and we think of St. Francis and his, "Welcome, Sister Death."

Dr. William Stopes, his disciple, and sometimes amanuensis, who at one time lived only a mile from him, acted as his literary executor and contributed some account of his life. The *Miracula* tells us that a certain householder of Hampole called Roger, was marvellously inspired to bring stones to build his tomb in the nunnery chapel. A legacy of John Croxton, Chandler of York, in 1393, describes the tomb as before the high altar. In 1506 Richard Marreys of London, born at Kirkby, left money for a Mass and *Dirige* before the image of *St. Richard* and two years later Richard Royden of Leverington left ten shillings for the repair of the monastery and chapel of St. Richard. Evidently a special chapel had been set apart in his honour.

His fame spread. People who wished to copy his writings, which were kept in chains there for fear of the Lollards, and pilgrims who came to Hampole to pray or to be healed at his shrine came flocking thither. The present grass track from Bilham Row to Hampole was once known as *Two Cross Way* and fragments of one of the two crosses set up for the pilgrims still remain.

We turn now to his writings. The *Judica me Deus* is probably his earliest prose work. It is really a collection of four tracts of which the last three are intended as advice to parish priests. In the first part he defends himself for leaving his original cell and changing his abode and this gives us approximately the period of his life in which it was written. The second and third parts of the work are largely derived from the *Pars Oculi* written by William de Pagula, Vicar of Winkfield, Berks., in the early half of the fourteenth century. The fourth part is really a sermon on the Last Judgment.

The *Melum Contemplativorum* deals with the glory of the Saints, especially the solitaries. It is written in prose which frequently changes into alliterative verse. He was young at the time he wrote it and describes himself as *juvenculus* and *puer*; probably he was in his twenties. He was still moving about from place to place. The work is full of that denunciation of abuses characteristic of the youthful reformer. Some of the clergy were full of the spirit of ambition and prospered in the world through



the favours of the great. Some of them gave great scandal by their formalism and worldliness and their exaction of tithes and other payments without regard for souls. There are references to queens who came to a bad end and to the downfall of wicked kings. This may be only a generalisation of the kind which is dear to poets, or it may be a reference to the scandal of Queen Isabella and Mortimer, and we do not forget that Edward II died miserably in 1327.

If we are to assert this connexion between the book and current events the earliest date for the *Melum* would be 1327. It must be admitted that such public events could hardly escape Richard's notice, for the Scottish wars occasionally brought the King and court to Yorkshire at this time and York almost became a capital. The *Melum* is more autobiographical than any other of Richard's works. We learn that he had lived with the rich and received much unkindness. While they lived luxurious lives, mouldy bread and insufficient covering were thought good enough for the hermit. Some jeered at him as a would-be saint who worked no miracles. His independence caused offence. He did not live in a recognised community and he was under no authority. They questioned his learning and poured scorn on his teaching. It would not always be so.

Rolle was a student of and a commentator on the scriptures. He wrote discourses on the first five half verses of the *Song of Songs*. Written originally in Latin the work was afterwards translated into English,<sup>1</sup> but whether he translated it himself is somewhat doubtful. The English text is a literal translation omitting certain passages. The fourth discourse, on the words *Oleum Effusum Nomen Tuum* is sometimes referred to as *Enconium Nominis Jesu*. Wells<sup>2</sup> says it is improperly ascribed to Rolle, but there seems very little doubt that it is his. There are the usual references to his own experiences. He tells how he had wandered about like Cain. Not all such wanderers were bad. The world might say they were hypocrites or were mad, but some of them at least had their minds fixed on the heavenly country. He also tells how in the early days of his hermit life Satan tempted him in the guise of a beautiful woman who vanished at the sign of the Cross and the invocation of the Holy Name.

Devotion to the Holy Name was spreading widely at this time. The *Oleum* has great resemblances to St. Bernard's fifteenth sermon on the *Canticles*, also written in praise of the Holy Name. Some of Rolle's work on this subject reminds us of the mediaeval hymn *Jesu, dulcis memoria*, ascribed in most of our hymnbooks to St. Bernard, though it was in existence in the previous century. In any case, however, St. Bernard's influence was very great in England and especially in Yorkshire with its great Cistercian Abbeys, Rievaulx, Jervaulx, Kirkstall, Byland and Roche.

<sup>1</sup> Horstman I, 186.

<sup>2</sup> *Manual of Writings in Middle English*, p. 463.

A separate work on a text in *Canticles*<sup>1</sup> *Ego dormio et cor meum vigilat* was written in English by Richard for a nun at the Benedictine nunnery at Yedingham near Thornton. Perhaps his earliest scriptural exposition was his commentary on the nine lessons from the book of *Job* read in the office for the dead. Herein he laid stress on penitence and the severer side of religion. Among his other expositions are those on the *Lamentations of Jeremiah*, on the first six chapters of the *Apocalypse* the *Super Mulierem Fortem*<sup>2</sup> and on the Lord's Prayer.

Most important of his scriptural works were those on the *Psalms*. He certainly wrote two commentaries on the *Psalter*. The first was written in Latin and was an exposition, not only of the psalms themselves, but of six canticles from the Old Testament. This work was spread widely on the Continent. More than half of the existing MSS. are to be found on the other side of the Channel and all but one of them are in Central Europe.

At a later period in his life Rolle wrote an explanation of the Psalms in English. In a Bodleian MS.<sup>3</sup> some unknown writer has prefaced it with a verse introduction, in the course of which occur these lines :

But for the Psalms ben ful darke in many a place who wol take hede,  
And the sentence is full merke. Who so wol rede,  
It needeth exposicyon written well with cunning honde,  
To strive toward devocyon and hit the better understonde.  
Therefore a worthy holy man called Richard Hampole,  
Whom the Lord that all can lered lelely on his scole,  
Glozed the sauter that sues here in English tong sykerly  
At a worthy recluse prayer called Dame Margret Kirkby.

In some of the MSS. this commentary is followed by one on the New Testament Canticles as well as those of the Old. Both the English and the Latin commentaries show very distinctly that much use has been made of Peter Lombard's *Catena* but they are quite independent works. The Latin one was probably written in the early thirties of the century; the English work was almost certainly not finished until the forties. The prose translation of the psalms is certainly Richard Rolle's. There existed a contemporary verse translation and sometimes whole verses are written in almost identical words in each. Hence some have suggested that Richard was also responsible for this verse translation, but the resemblances may not mean more than that both translators used the obvious words.

The Lollards afterwards reissued Rolle's Psalter with interpolations of their own. This was first done in 1378.<sup>4</sup>

There are many manuscripts extant of Rolle's English Psalter. One however has a special interest. Early in 1874 Dr. J. T. Fowler found it pushed away with all sorts of rubbish in a drawer in the library of St. Nicholas, Newcastle. It is now in the

<sup>1</sup> v. 2.

<sup>2</sup> Proverbs xxxi, 10.

<sup>3</sup> Laud 286.

<sup>4</sup> *Camb. Hist. Eng. Lit.*, II, 47.



Public Library there.<sup>1</sup> It is an imperfect copy. A number of pages are missing, but it is interesting as being nearer to the original dialect than any other. Eleven other MSS. at least are translations into southern dialects.

Passing from Rolle's work on the Bible we come to some of his Latin treatises. His book *De Amore Dei contra amatores Mundi* was written well on in his life since he refers to his many writings. He exhorts the worldly to abandon worldliness, and, amongst other things, the frivolous dress of women. He seems to have been meeting trouble and disillusionment at the hands of the worldly, possibly some of those he thought his friends and patrons. Much more important than this work is the *Incendium Amoris* which has many titles: *Melodia Amoris*, *De Excellentia Amoris Dei* or *De Vita Contemplativa*. It is so variously named among the sixteen MSS. which have preserved for us the Latin text. It is not a treatise on systematic theology; it is purely mystical and deals with such matters as the fire of heavenly love, the sweetness of heavenly joy, and the music of the angels; things which can only be spiritually perceived and lend themselves neither to definition nor description. Treating of man's conversion to God it shows that no man can arrive suddenly at a state of high devotion. Love comes not from learning or disputation. It begins with faith, God is to be worshipped even in the midst of the troubles and cares of life. The true lover of God forsakes the world, thinks as God thinks and gives praise to Him alone. Richard goes on to praise the solitary life in which man may have a foretaste of the joys of heaven. He himself endured much back-biting because he forsook everything to follow after God. He did not feel the fulness of joy till after four and a quarter years of the hermit life and then in chapel he heard the melody of the angels. Love comes with cleanness of life, with prayer and meditation and charity and the lover desires to depart and be with Christ which is far better.

In the second book of this treatise he tells how perfect contemplation takes no heed of outward song. Men wondered that he did not join in the singing when present at Mass, they little knew he had music in his heart. He enlarges on the theme of the ghostly, that is, the spiritual song, which can neither be uttered nor written. The true love is the gift of God and by it the soul is snatched from the body and lifted up to God, and such love is mingled with every time and deed and fails not for weal or woe.

In speaking of worldliness Richard has a curious passage in which he attacks the vanity of women especially in their head-dresses. The clergy preached against these, but during the next hundred years these head-dresses became enormous in size. The clergy might have saved their breath.

The *Incendium* was probably Richard's most popular work. It is his vindication of the life of the hermit and the spiritual advancement attained thereby. He attacked mere book-learning

<sup>1</sup> *Durham Univ. Journ.*, xxii, 14.

in theology and the claim of the monks to a superior spiritual life. The work was written certainly before the last part of his life, and almost certainly before 1343. The fifteenth chapter seems to have been specially popular and three MSS. exist which contain that chapter only. It describes how he came to the solitary life and discourses on the Song of Love. As years went on the reputation of Richard grew and in 1435 Richard Misyn, a Carmelite Bachelor of Divinity and Prior of Lincoln, translated the book into English. Another work of Richard Rolle was the *Emendatio Vitae; The Mending of Life*. Called by various names it is found in nearly thirty manuscripts, and was one of the most widely known of his works. The original copy was sent to Richard's friend and disciple Dr. William Stopes. The book is divided into twelve chapters. It begins with conversion to God, describes some of the chief temptations to which the Christian is liable and the means whereby he may gain improvement, such as prayer, meditation and reading, and ends on the writer's favourite theme, the contemplation of God. Like the last-mentioned this book was translated from Latin into English by Richard Misyn in 1434. Misyn is mentioned in 1462 in the register of the Corpus Christi Gild of York<sup>1</sup> where he is called "suffragenus Ordinis Fratrum Carmelitarum."

We now come to Rolle's principal English writings. The first of these is the *Ego Dormio* already referred to. There is a Latin translation of this of fifteenth century date. It is a full account of mysticism with much less in the way of personal reference. The resemblances between this work and the *Incendium* suggest that the two books were written about the same time, considerably before the end of Richard's life. It urges upon the nun for whom it is written the need for reformation and holiness of life and calls her to devotion to the Holy Name. The writer's tendency to alliteration is shown in ten consecutive lines of alliterative verse and his poetic fervour appears in two lyrics with irregular rhymes.

To a sister at Hampole Rolle wrote an epistle entitled *The Commandment* "Thou shalt love the Lord thy God with all thy heart." This was evidently intended for a person at the outset of the religious life. He described the three stages of love which he named as insuperable, inseparable and singular. Again he urged the love of the Holy Name. He warned his correspondent against rich clothing, and told her not to trail behind her as much as Christ had on. There was much trouble with the nuns about their garments. Dr. Eileen Power<sup>2</sup> speaks of a nun of Hampole to whom was bequeathed a cloak lined with blue to say nothing of a saddle and bridle. Bequests of clothing to nuns were frequent in wills and some of these garments were very unsuitable to their profession. In 1320 Archbishop Melton warned the prioress of Hampole to correct those sisters who wore new-fangled clothes and not the habit of the order.

<sup>1</sup> *The Register of the Guild of Corpus Christi in the City of York*, Surtees Soc., p. 62.

<sup>2</sup> *Mediaeval English Nunneries*, p. 329.



Perhaps Rolle's most important work was the *Form of Living* or as the Vernon MS.<sup>1</sup> calls it, the *Form of Perfect Living* and the latter is the title now most generally used. Some of the MSS. have a note that it was written for an anchoress or recluse. We know that it was written for Margaret Kirkby. The book concludes, "So, Margaret, I have told thee shortly the Form of Living and how thou mayest come to perfection and to love Him Whom thou hast taken thee to. If it do thee good and profit to thee, thank God and pray for me." The Rawlinson MS. changes the name from Margaret to Cecil. The demand of the mystic that the Christian shall love God supremely above all else seems impossible to the ordinary man [e.g., c. viii] but the saints have not found it so. It is not a mere emotionalism that Rolle teaches. Observe the analysis of the possible sins which humanity can commit and the way in which he leaves no trick of evasion to the conscience. The life of the mystic is not mere selfishness of isolation, the mystical Body of Christ is always to be taken into account. Balance and harmony brought about by the power of love is the Christian's aim and love necessitates sacrifice, perseverance and high endeavour. Love is the perfection of learning, the virtue of prophecy, the fruit of truth, the help that comes from the sacraments, the riches of poor men and the life of dying men. A man is not "good" till he is filled with the love of God. The *Form of Living* is an intimate spiritual letter in which Richard goes over the whole of mystical experience, even to the heights of ecstasy, and it is filled with his usual devotion to the Holy Name. Scholar and writer though he was he told Margaret not to covet books overmuch: "Hold love in heart and in work and thou hast all that we may say or write."

The *Forma Vivendi* was very popular and spread all over England, and there were numerous southern transcriptions in the fourteenth and fifteenth centuries. In one northern MS.<sup>2</sup> by a Durham scribe, perhaps Richard of Segbrook, a monk of Durham, it is divided into separate parts. William of Nassington, probably a disciple, turned the book into verse. This William was a learned man, sometime an advocate in the Court of York, and the author of several works of his own. The second chapter of *The Form*, on the joys and difficulties of the hermit life, was sometimes in later days issued as a separate tract.

*The Form of Perfect Living* was his most mature work and was probably written at the very end of his life. It is a perfect example of his cadenced style, and sometimes drops into alliterative verse. Short lyrics are inserted. Various lyrics have been ascribed to Richard Rolle, but except when they occur in the text of his other writings, it is not always easy to be certain of the authorship. Miss F. M. Comper has collected all those which may be fairly ascribed to him,<sup>3</sup> Miss Allen's list<sup>4</sup> is not quite the same, but there

<sup>1</sup> Dd. v. 64, Cambridge. Also the 2nd Text of MS. Rawlinson. <sup>2</sup> Arund. 507.

<sup>3</sup> F. M. Comper, *The Life and Lyrics of Richard Rolle*, 1933.

<sup>4</sup> H. E. Allen, *Richard Rolle*, pp. 287ff.

are some of which we can have no doubt. From the *Form of Living* we have, "When wilt Thou come to comfort me?" From *Ego Dormio* "My King that water grette" and "My song is in sighing." In one MS. only<sup>1</sup> we have possibly his finest lyric: "My Truest Treasure so Traitorly was Taken. It begins:

My truest treasure so traitorly was taken  
So bitterly bounden, with biting bands  
How soon of thy servants was thou forsaken,  
And loathly for my love hurled [struck] with their hands.

"Jesu God's Son, Lord of Majesty" is in twelve stanzas of eight short rhyming lines, containing many of his favourite phrases and exhibiting his love of alliteration. Much of his verse work shows strong parallels with his prose. This in "Love is Life that Lasts Aye" each stanza of the first fifteen seems to have corresponding passages in the *Incendium*. Stanzas 16 to 24 are independent of that book. Stanzas 1 to 17 have for their subject the Love of God; 18-24 form a song in praise of Jesus. But they are not necessarily different poems. The first stanza begins, "Love is life that lasts aye," while the last ends, "Jesus is love that lasts aye." Still, he did repeat himself. "Hail Jesu, my Creator" echoes again and again the lyrics in *Ego dormio*. Nearly every line in the seven eight-lined stanzas of this poem compares with something in the lyrics and often with something in his prose works. His favourite metre was the four-lined stanza but he also used rhyming couplets and the six or eight-lined stanza.

Time fails to speak of his minor works, but mention must be made of his *Meditations on the Passion* of which there are two versions. The Passion was one of his favourite subjects, and it would appear that as the two versions follow the same structure he probably re-wrote the work some years after the first. Perhaps in view of a popular error I ought to refer to a work which was certainly not his. At All Saints', North Street, York, can be seen a unique stained glass window, showing in pictorial form the fifteen last days of the world as set forth in the popular mediaeval work, *The Prick of Conscience*.<sup>2</sup> Though this work has been ascribed to Richard of Hampole all modern writers are agreed that it is not by him. Out of over a hundred MSS. only five ascribe the authorship to Rolle. The style is different; there is little alliteration and the somewhat pompous didactic manner of the writer with a frequent reference to eminent names is entirely unlike his. There is no trace of mysticism, the dialect, though northern, is not exactly his. The subject matter does not suggest him. It is a long work of nearly 10,000 lines giving counsel to the soul on life, death and judgment. The author is unknown. William of Nassington has been suggested and it can be said that the suggestion is possible and that is all.<sup>3</sup> Richard Rolle was a Yorkshireman. All his works were written in the northern dialect, and of all his genuine

<sup>1</sup> Camb. Dd. 5, 64.

<sup>2</sup> *An Old York Church*, by P. J. Shaw, 1908, pp. 34-6.

<sup>3</sup> H. E. Allen, *Authorship of the Prick of Conscience*, 1910.



works we have copies in that dialect. To him is largely due a great revival and extension of the northern tradition of alliteration which he used abundantly not only in English but in Latin.<sup>1</sup> This alliteration appears extraordinarily in a passage in the *Melum* where he sets forth how he came to love Our Lord through devotion to His Mother, but indeed it is to be found everywhere. He can write vigorously enough. He is full of antitheses and play upon words. Take this example of the former: he is speaking of the love of the world; "It has the gem of heaviness and scornful praise, blackness of lilies, song of sorrow, with foul beauty, discording friendships, and snow's blackness,<sup>2</sup> solace forsaken, and a needy Kingdom. It has a nightingale roaring more than a cow, a sweet voice withouten melody, a sheep clad in a fox's skin and a dove madder than any wild beast."<sup>3</sup> Or take what he writes about the hermit life. Hermits "live in the charity of God and of their neighbour; they despise worldly praise; as much as they can they flee man's sight, they hold each man more worthy than themselves; they continually give their minds to devotion: they hate idleness; they mainly withstand fleshly lusts; they taste and burningly seek after heavenly things; earthly things they covet not but forsake; in sweetness of prayer they are delighted. Truly some of them feel the sweetness of eternal refreshment, and with chaste heart and body, with the undefiled eye of the mind, behold God and the citizens of heaven."<sup>4</sup> So consistent is Richard's style and manner that Miss H. E. Allen has said, "It is a striking proof of the consistency of his works that an article written from materials drawn from only about a quarter of his writings is valid for all."

We get a few scraps of information from some of the MSS. of Rolle's works. The scribe of the Bodleian MS. 861 tells how he had copied the *Judica me* from a fair copy in the possession of the hermit of Tanfield, probably the Yorkshire and not the Durham Tanfield. This shows incidentally that hermits might have books of their own. Richard himself used too many writers to have depended on his memory alone. The Vienna MS. 4483 ends in a colophon giving the approbation of Cosmo, Cardinal Archbishop of Bologna, who became Pope Innocent VII in 1405. This colophon is followed by an account of Richard's life as told by an English monk, a Bachelor of Theology, who says that the *Oleum Effusum* was added to Richard's works by William Stopes. The Douay MS. 396 gives the approval of the Archbishop of Bologna and of John Genzenstein, Cardinal Archbishop of Prague, who died in 1396. These references to Vienna and Prague illustrate the connexion between England and Bohemia in the time of Richard II. Some of the Rolle MSS. and also an abridged copy of the Office for his day still exist in the library of the University of Upsala. They came

<sup>1</sup> Horstman II, xviii.

<sup>2</sup> *nivem ingrediem* black by being trodden upon.

<sup>3</sup> *The Fire of Love*, pt. II, cviii. Miss Comper's Translation.

<sup>4</sup> *Incendium*

originally from Wadstena, the mother house of the Brigittine Order, and probably went there from Shene or Syon. The monastery of Syon had many of Richard's books, including a *Melum* written with his own hand.<sup>1</sup> This religious house, though not founded for three quarters of a century after his death, probably rivalled Hampole in its collection of his works. There was, amongst others, an autograph copy of his *Psalter* at Hampole and another was bequeathed to the house in the fifteenth century. The monastery of Shene had northern connexions and at its foundation received books from Mount Grace. A nun, Joanna of Syon, who was a student of Rolle's works, was helped in her studies by a monk of Shene. The Carthusians seem to have been specially interested and many Continental copies were held by Carthusian monasteries, among them those of Bâle, Metz, Trier, Brussels and Ghent.

A collection of Richard's poems, tracts, prayers and so on was made by Robert Thornton of East Newton, Yorkshire, who became Archdeacon of Bedford early in the fifteenth century. Known as the Thornton Manuscript it is now in Lincoln. While William Spafforth was Abbot of St. Mary's, York (1405-21) the *Incendium* was used as a monastic text-book. There were still some people who repeated the old scandal-mongering attacks on Richard, and another hermit, named Thomas Basset, wrote about 1400 a *Defence against the Detractors of Richard, Hermit*. There is a unique MS. of this at Upsala, which probably came originally from Syon. The work stoutly maintains the genuineness of Richard's spiritual experiences against the scoffers and detractors. Rolle's writings in spite of his enemies, became widely known. Printed collections appeared at Oxford in 1483, London 1503, Paris 1510, Antwerp 1533, and Cologne 1535.<sup>2</sup> Most of the foreign editions, with their usual difficulty with English names, called him Pampolitanus.

Mention of Richard and his works is not infrequent in north country and other wills. In 1391 William de Thorp, who was buried in Ely Cathedral, left to his chaplain, "that book which Richard Hermit composed."<sup>3</sup> In 1415 Lord Scrope included amongst his bequests copies of the *Incendium Amoris* and *Judica me*. Sir Brian Stapleton in 1394, bequeathed a silver basin and an alabaster image of the Blessed Virgin which were reputed to have belonged to the hermit of Hampole.<sup>4</sup> There is no doubt that the reputation of our hermit rose high in the century succeeding his death.

Richard of Hampole has been called the "Father of English Mysticism" and "the English Buonaventura." Newman intended to include his life in his *Lives of the English Saints*, but it was

<sup>1</sup> Clay, *Hermits and Anchorites*, p. 175.

<sup>2</sup> The best detailed account of these is in W. T. Fremantle, *Bibliography of Sheffield and its Vicinity*, Section I, Sheffield, 1911.

<sup>3</sup> Gibbons, *Old Lincolnshire Wills*, p. 80.

<sup>4</sup> *Test. Ebor.*, Surtees Soc., I, 199.



never written. There are considerable resemblances between Rolle and the early Franciscans; he too was one of "the troubadours of God." His ascetic example seems to have been followed by many. We know of nearly a hundred hermits in Yorkshire during the century in which he lived. He was not a mere selfish recluse for his influence was marked on those around him, and though he was not allowed to preach, his gift of sympathetic advice and instruction did perhaps an equal amount of good. Teacher, evangelist, writer and spiritual guide, he was one of the most notable men of his age.

#### Note.

In the Cottonian MS.<sup>1</sup> in the British Museum is a northern poem called the *Desert of Religion* by an unknown author. On the first page is a picture inscribed *Richard Hermit*. He wears a white habit and a tonsure and on his breast is the sacred monogram. The hair appears light in colour and there is a short two-pointed beard. He is sharp-featured with a touch of colour on his cheeks. It is a life-like drawing and may present someone's recollection of his personal appearance. Unfortunately the Stowe MS. of the same poem, gives him a short black beard and no resemblance to the other in face. Moreover he is represented in a green habit with a black cap with a white edging and a short black hood. We have no more proof of the authenticity of either portrait than we have of the alleged portrait of Wickliffe at Wycliffe, but the former of the two drawings mentioned does look more like a real person and that is all we can say.<sup>2</sup>

<sup>1</sup> Faust B, vi, 2.

<sup>2</sup> Horstman, *Yorkshire Writers*, II, p. xxxiv.

# THE EXTENT AND CHARACTER OF RECUSANCY IN YORKSHIRE, 1604

BY A. G. DICKENS, M.A., F.R.Hist.S.

## I. VALIDITY OF THE CENSUS OF 1604.

Yorkshire historians are fortunate indeed to possess one early census of roman catholic recusants probably unique for its period in respect of careful and detailed compilation. It is extant in Bodleian Rawlinson MS. B.452 and was printed with tolerable accuracy by Edward Peacock as early as 1872.<sup>1</sup> Though quite the outstanding Yorkshire document of its period, it has found strangely little utilisation save by those primarily interested in its personal and genealogical aspects. The present article is concerned rather to discover what generalisations may be based upon this survey, to employ its data along the broader lines of social and religious history. The writer desires in particular to answer the questions as to how many recusants and non-communicants lived in Yorkshire at this date 1604, what proportion of the total population they are likely to have constituted, what regions of this extensive shire proved most remarkable for recusancy, what hints may be gleaned regarding the social structure and organisation, if any, of the recusant body. Such matters as these, so vital to English social history, have long been acrimoniously debated in the light of sectarian controversy, to which indeed they remain so largely irrelevant. The fact, for example, as to whether at any period a greater or a lesser number of Englishmen were romanist recusants, or convinced anglicans, seems to my uninstructed mind a singularly naïve type of argument for the validity of either communion. This present enquiry will *per contra* largely concern itself with the pedestrian business of counting and analysing.

Yet before we can handle statistics, we need to clear the ground of certain difficulties which suggest themselves at the very outset to any cautious student. Of such issues the most vital concerns the statistical validity of the survey itself. How far does this document really furnish what it purports to furnish—a full and reliable census of Yorkshire recusants and communicants in the year 1604? The problem proves a trifle more involved than might at first sight appear likely, yet it seems to me not especially difficult to demonstrate that, when certain slight allowances have been made, a reasonably complete and definitive statistical picture

<sup>1</sup> *A List of Roman Catholics in the County of York in 1604*, ed. E. Peacock. This printed version is hereafter referred to simply as "Peacock." I have checked some passages against the original and found no cause for complaint except a few mistranscriptions or misprints of proper names unlikely to mislead knowledgeable students.



emerges. For the sake of clarity, I enumerate my reasons for this belief as follows :—

(1) We know little regarding the origins of this census, which, so far as I am aware, deposited no parallel documents for other shires. Gardiner appears to connect it with Whitgift's order of June 1603 to the bishops,<sup>1</sup> while the editor of the West Riding Sessions Rolls thinks it to have been compiled in obedience to Canon 114 of 1603.<sup>2</sup> Yet this is surely no ecclesiastical survey by dioceses and deaneries; it is a lay survey carried out in April 1604<sup>3</sup> by the justices of the peace for each wapentake of the shire. The whole is carefully divided into wapentakes and liberties, each of these concluding with the names of the local justices who certified the correctness of the return in question. These justices had clearly based their returns upon the evidence submitted by the parish officials throughout their jurisdictions and in most cases they had forwarded these actual parish certifications to higher authority for consolidation. Some slight irregularities are carefully noted by the compiler of this final version, now constituting our Bodleian manuscript. In three of these cases the justices had failed to forward the actual signed certifications of their parish officials,<sup>4</sup> while in a fourth case the presentments were "not certified by anie Justices of peace, but by the ministers, constables and churchwardens under there owne handes."<sup>5</sup> Now it appears highly unlikely, that, by the year 1604, justices or parish officials could under these conditions have accomplished violent falsifications of their returns. With but few exceptions, justices suspected of favouritism had long been excluded from the commission of the peace. It would likewise prove difficult to build up a case of evasion against any particular suspect. Few families, for example, had used their territorial influence more pointedly for romanism than the Cholmleys. Yet Sir Henry Cholmley joins as local J.P. in the return for Whitby; despite his recusant relatives, he had probably by this time thoroughly conformed<sup>6</sup> and in any case he here presents 23 recusants, one 'retainer' of recusants, three cases of secret marriage and a private baptism.<sup>7</sup> Meanwhile at Bransby the recusant members of the Cholmley family are themselves duly presented as offenders, together with a number of their servants, and the intriguing notes :

"*Strang persons reteyned* : Memorandum that many straing persons repaire to the house of Mrs Ursaley Cholmley, which come not to the churche and there hath bene seminaryes kept in her house.

<sup>1</sup> *History of England*, i, 144. Whitgift's order is printed in Wilkins, *Concilia*, iv, 368 and seems connected with the diocesan surveys in Harleian MS. 280, mentioned below.

<sup>2</sup> *Y.A.S., Rec. Ser.*, iii, p. xxv.

<sup>3</sup> The East Riding return is headed 'April xxiiij, 1604' (Peacock, p. 122).

<sup>4</sup> *Ibid.*, pp. 109, 114, 122.

<sup>5</sup> *Ibid.*, p. 117.

<sup>6</sup> Cf. below p. 31.

<sup>7</sup> Peacock, pp. 109-110. Questions of marriage and baptism by catholic priests are discussed below.



*Secret mariage*: Richard Cholmley Esquier maryed with Mary Hungate in the presence of John Wilson, William Martin, Hugh Hope & Christopher Danyell in a fell with a popishe priest, as they here."<sup>1</sup>

Elsewhere we find the Lord Mayor of York Thomas Herbert<sup>2</sup> joining to present his recusant brother Cristopher, "sometymes remayning at the Lord Maior his house, but cometh not to church."<sup>3</sup> The Allertonshire justices dutifully report that they dare not deal with certain places owing to the plague then raging,<sup>4</sup> while those of Langbargh are careful to report the evasion of a Stokesley churchwarden, who "being sworne refused to ioyne in the presentment because he knew more than the rest as is supposed."<sup>5</sup> Even sojourners and visitors to the parish were liable to be reported. We thus find that at Hooton Pagnell "they present John Gifford of Chichester Esqr. being lord of that manor of Hutton Pannell, that he remayned there from the 2 of Aprill till the 17 of the same and came not to the church"<sup>6</sup> Altogether it seems quite impossible to peruse these presentments without acquiring the conviction that, in those areas included, the picture is as fully and carefully drawn as any we could hope to find.

(2) At this point it may well be objected that certain wapentakes are actually omitted from the survey. Which are these, and what difference to the result would their inclusion have made? Those missing are Birdforth and Pickering Lythe<sup>7</sup> in the North Riding, together with Osgoldcross<sup>8</sup> and part of Staincross<sup>9</sup> in the West Riding. Yet, as it happens, none of these areas was ever significant for its romanist leanings: none of them possessed a single one of the major centres of recusancy in our Elizabethan episcopal visitations.<sup>10</sup> Indeed, applying this useful test, I discovered that of all the 29 Yorkshire parishes most notable for recusancy in these visitations of 1575-1590, no less than 26 are fully represented in our survey of 1604, while the remainder might well have ceased to produce any recusants in the meantime.<sup>11</sup> As

<sup>1</sup> Peacock, p. 121.

<sup>2</sup> On Herbert's brave conduct during the plague of this year 1604, *cf.* *Y.A.J.*, i, 186-7.

<sup>3</sup> *Ibid.*, p. 59. A Whitby man even presented his wife for recusancy; on second thoughts, I refrain from citing this as an example of impartiality!

<sup>4</sup> *Ibid.*, p. 94.

<sup>5</sup> *Ibid.*, p. 95.

<sup>6</sup> *Ibid.*, p. 7. *Cf.* p. 24, the even more pointed case of William Blackstone, gent.

<sup>7</sup> Fyling, Eskdale, Uggelbarnby and Sneaton are given (pp. 114-17) under the heading "Pickering Lythe," whereas they more properly belong to Whitby Strand. Meanwhile the actual parishes of Pickering Lythe are missing.

<sup>8</sup> Pontefract, geographically within it, is actually given as a separate liberty.

<sup>9</sup> Part of these entries, being on the first leaves of the MS., have been lost or injured.

<sup>10</sup> Kilvington in Birdforth actually shows a handful of recusants in these visitations.

<sup>11</sup> The Elizabethan visitations are dealt with in my article in *Y.A.J.*, xxxv, 157, *seqq.*

regards these wapentakes or portions of wapentakes missing from the survey, they represent, in respect of area and population, say about three out of 27 comparable portions of Yorkshire. In respect of actual *recusant population* they certainly represent a great deal less: the recovery of their presentments would be most unlikely to increase our total of recusants by more than a few scores.

(3) A criticism less formidable, yet one which might conceivably be used to impugn the completeness of the survey, is the fact that less than two thirds of the parishes of Yorkshire are specifically mentioned or otherwise clearly accounted for. Yet this fact does not arise from the mere omission of such parishes from the purview of the justices. In the North Riding, where the tale of parishes proves singularly complete, its completeness is clearly accounted for by the specific mention of the numerous blameless parishes under the heading of *omnia bene*. Yet in the other two Ridings, which both, incidentally, contained a far smaller proportion of recusants than the North Riding, these *omnia bene* parishes simply do not occur at all. It is quite impossible to explain the omission of so many parishes other than by the suggestion that they were *omnia bene*, especially so in the East Riding, where most omissions occur, since we know from a multitude of sources that recusancy always remained negligible throughout the East Riding.<sup>1</sup> We must recall in this connection that our Bodleian manuscript is a book compiled, seemingly in the hand of one official, from the presentments of the Yorkshire justices and their parish officials. It does not consist of the actual presentments themselves. In one place, for example, the scribe, or the justices themselves, summarise the evidence by saying, "the rest of the parsons, viccars &c. within the other parishes of the wapontack of Langbarghe certifie *omnia bene*."<sup>2</sup> Again, we hear that "the certificate for Holdernes before mentioned was made by Sir Lancelot Alford knight and John Alred Esquier under theire handes, being by them reduced into a breife noote, but not any of thoriginall presentmentes themselves being certefied."<sup>3</sup> The missing *omnia bene* parishes presumably vanished even at this early stage of compilation. All these features, added to the fact that practically all the known earlier centres of Yorkshire recusancy do actually appear, distinctly forbid any theory that prominent recusant parishes may have been omitted through the carelessness or intrepid favouritism of the justices—such theory being in itself, we need hardly add, of a most improbable order.

(4) If our hypothesis of a tolerably complete return be correct, we should expect to find in this census a very considerably larger number of recusants and non-communicants than we find in other lists made with less elaborate machinery or at periods when recusants were less numerous than in 1604. This

<sup>1</sup> With the exception of the Hemingborough area, of which more below.

<sup>2</sup> Peacock, p. 109.

<sup>3</sup> *Ibid.*, pp. 128-9.



anticipation is definitely satisfied by all the comparisons I have been enabled to make. Three such parallels immediately suggest themselves.

(a) With the episcopal Visitation Books in the York Diocesan Registry. The fullest visitations of which I possess at present accurate statistics are those of 1590, which included all the deaneries of Yorkshire, even the three which lay in Chester diocese. They appear to attempt completeness, comprising all parishes and all types of recusants, not merely the more notable ones. They yield a total of 806 recusants and 302 non-communicants.<sup>1</sup>

(b) With the Recusant Roll of 1592-3,<sup>2</sup> from which we can only expect a list of those upon whom the exchequer was seriously endeavouring to impose the enormous monthly fine of £20, or alternatively to sequester, under 28 Eliz. cap. 6, two-thirds of their lands. From the various Yorkshire sections of this roll I count a grand total of some 812 names of both classes, but a number of duplications appear and this number may have to be materially reduced.

(c) With the diocesan returns of recusants made in 1603 and now extant in B.M. Harleian MS. 280, pp. 157-172. According to the calculation of another writer,<sup>3</sup> there were then found to be 720 recusants (300 men; 420 women) in the diocese of York, which, though lacking Richmondshire, did include the presumably more populous, if less romanist, shire of Nottingham.<sup>4</sup>

Now the above surveys, with the exception of the Recusant Roll, are intended to be full and careful censuses for their dates and areas. Yet they are vastly exceeded by our census of 1604, which, as we shall shortly calculate, includes about 2454 recusants and non-communicants together, of whom 622 are only non-communicants.

In making such comparisons we should, however, keep in mind one other factor, namely that the early months of the year 1604 probably represent a peak-period of recusancy, various events since the accession of the new monarch having greatly increased catholic hope and confidence.<sup>5</sup> Indeed, a leading objective of this survey was clearly to assess the *recent* growth of recusancy; the character of the returns proves that the articles of enquiry demanded the separate listing of *new* recusants, i.e., those commencing their refusal since the accession of King James, just over a year ago. It is hence possible to calculate the number of these recent additions to the recusant body—they total about 569,

<sup>1</sup> Cf. *Y.A.J.*, xxxv, 182.

<sup>2</sup> Printed in *Catholic Record Society*, xviii.

<sup>3</sup> B. Magee, *The English Recusants*, p. 83. This book gives a mass of useful references, but accepts tendentious reports and elaborates involved calculations, which should be regarded with every reserve.

<sup>4</sup> Limited comparison is also afforded by the West Riding Sessions Rolls. Cf. below, p. 30. The indictments of 1598 appear a strong local drive, but the total falls short of that attained for the same locality in the census of 1604.

<sup>5</sup> On this topic, cf. Gardiner, *History of England*, i, chap. iii.



of whom 170 were non-communicant only. Seen thus in isolation the survey might thus lead us to exaggerate, rather than to minimise, the strength of recusancy viewed as a permanent problem of the age, since, if my contentions be justified, we find here a reliable and tolerably complete census of Yorkshire recusancy at one of the more pronounced periods of its earlier development.

## II. RECUSANT FIGURES AND PERCENTAGES.

Armed with the foregoing knowledge, we may now turn with the right degree of confidence to the specific figures, which may perhaps find clearest presentation in tabular form. In perusing or checking these figures it should be recalled that they have been compiled by laborious counting and the consideration of individual doubtful cases, since Jacobean administrators, though far beyond those gross 'medieval' inaccuracies over large figures, did not always reduce their information to the symmetry (perhaps illusory) which marks the labours of modern bureaucracy. Hence, though no major deviations are possible, no two calculators would be likely to attain precisely identical figures. A good many equivocal cases appear, for example, amongst the non-communicants, a fair proportion of whom were probably not romanists. In all really doubtful cases, I have given the recusant body the benefit of the doubt, since I wished to envisage the maximum possible, rather than the minimum possible, scope of the recusant problem in Yorkshire.

In the left-hand column of the Table we find the several wapentakes and liberties, in the order of the document itself. In the next column appear the totals of mere non-communicants, those who while attending mattins and evensong to avoid the grievous penalties of recusancy,<sup>1</sup> nevertheless could not overcome their scruples sufficiently to participate in actual Communion, which to more than one exacerbad victim seemed no less than "the cup of devils." In the third column appears the most important figure, the total of both recusants and non-communicants *together*. The fourth column contains the numbers of "new" offenders, i.e., those described as recusant or non-communicant only since the accession of King James in March 1603 or "for one year." Finally the right-hand column notes the main centres of romanism—those parishes which show ten or more offenders, together with the actual figure for each.

Thus we arrive at our totals for the whole shire: 2461 recusants and non-communicants *together*, of whom 622 are non-communicants only, and some 569 have broken the law only since the setting of that bright Occidental Star, Queen Elizabeth. These totals need but a small estimated addition to compensate for the missing wapentakes, which, as already indicated, comprised a very small proportion of the shire and contained no major centres of recusancy. All things considered, I should be inclined to

<sup>1</sup> The test of actual communion was established in 1605 by 3 Jac. cap. 4.

## WEST RIDING AND YORK.

Wapentakes, etc.	N.Cs.	Recs. and N.Cs.	Since 1603	Main Centres of Recusancy
Staincross .. ..	2	25	—	Cawthorne 14.
Strafforth and Tickhill ..	12	60	—	(Unnamed, 16). Sheffield 13.
Agbrigg and Morley ..	12	48	13	
Skyrack .. ..	12	57	20	Barwick 31, Leeds 14.
Staincliffe and Ewcross ..	27	81	7	Mitton 18, Thornton 15.
Barkstone Ash .. ..	35	117	11	Carlton 25, Drax 14, Saxton 13, Birkin 11, Fenton 10, Sherburn 10, Ledsham 10.
Claro (including Ripon Liberty)	151	483	93	Ripon 120, Kirkby Malzeard 92, Ripley 64, Spoforth 27, Knaresborough 24, Farnham 20, Burton Leonard 12, Staveley 10, Pateley Bridge 12, Boroughbridge 10.
Pontefract .. ..	11	12	11	
Doncaster .. ..	—	4	1	
York and Ainsty ..	26	81	27	
TOTAL .. ..	288	968	183	

## EAST RIDING.

Wapentakes, etc.	N.Cs.	Recs. and N.Cs.	Since 1603	Main Centres of Recusancy
Holderness .. ..	11	50	13	Skeckling and Burstwick 10.
Hedon .. ..	—	2	—	
Hull and Liberties ..	9	23	11	
Beverley .. ..	3	4	1	
Harthill .. ..	2	66	31	Bubwith 25.
Howdenshire .. ..	3	22	8	
Ouse and Derwent ..	24	81	3	Hemingborough, 61. <sup>1</sup>
Buckrose .. ..	1	5	—	
Dickering .. ..	3	6	2	
TOTAL .. ..	56	259	69	

<sup>1</sup> Including all the townships of the parish, Cliffe cum Lund, Osgodby, Barlby, South Duffield, Woodhall, etc., given separately in the survey (Peacock, pp. 139-40).



## NORTH RIDING.

Wapentakes, etc.	N.Cs.	Recs. and N.Cs.	Since 1603	Main Centres of Recusancy
Richmond Parish ..	—	15	3	
Hang West .. ..	49	121	18	Grinton with Muker 70, Wensley 14.
Gilling East .. ..	12	54	15	Manfield 19, Danby Wiske 17, Middleton Tyas 16.
Hang East .. ..	46	109	21	Masham 86.
Gilling West .. ..	115	271	41	Stanwick St. John 106, Forcett 53, Melsonby 31, Kirkby Ravensworth 27, Barningham 21.
Halikeld .. ..	8	19	7	
Allertonshire .. ..	18	77	4	Thornton-le-Street 19, Worsall 14.
Langbargh .. ..	10	341	128	Egton 55, Guisborough 39, Lythe 30, Stokesley 29, Brotton 28, Kirk Leaving- ton 26, Loftus 20, Cra- thorne 18, Skelton 18, Whorlton 11, Appleton-on- Wiske 10.
Whitby .. ..	—	23	2	
Ryedale .. ..	11	65	33	Hovingham 37.
"Pickering Lythe" <sup>1</sup> ..	2	72	21	Eskdale 30, Fylingdales 27
Bulmer .. ..	7	67	24	Brandsby 20.
TOTAL .. ..	278	1234	317	

suggest an amended grand total of about 2600 offenders. Hence, speaking in the broadest terms and allowing for all possible inaccuracies, concealments and clerical omissions I find it impossible to escape the overwhelming probability that the *actual* total of Yorkshire recusants and communicants in that peak year 1604 must have lain well below a figure of 3,000.

How does this figure compare with the whole population of Yorkshire during those earliest years of the seventeenth century? Here we enter upon ground where angels might fear to tread, and I do not recall off hand any serious attempt by Yorkshire archaeologists (who usually lack anything like angelic temerity!) to assess the population of their shire at so early a date. So long, however, as we realise that it professes only the widest approxima-

<sup>1</sup> But *cf.* above p. 26.

tion, an estimate should not at this stage be shirked.<sup>1</sup> Two rough and ready, yet quite independent lines of approach suggest themselves to me: should they converge, we may at least be on the right track.

(1) Various sources point to a figure between three and four millions as likely for the total population of England in 1600.<sup>2</sup> What proportion of this whole is Yorkshire likely to have contributed? This Yorkshire proportion becomes computable in the Hearth Books of 1690 when the shire, out of a total of 1,319,215 *houses* in England and Wales, has 121,052 or nearly a tenth.<sup>3</sup> I see no reason to suppose that Yorkshire's proportion radically altered between 1604 and 1690<sup>4</sup> and this approach would suggest 300-350,000 as a conservative estimate for the total population of Yorkshire at the date of our recusancy survey.

(2) We have already referred to the diocesan returns of 1603 in Harleian MS. 280. They appear to have been compiled with some care from parish data and yield the very sensible total of 2,250,765 *communicants* in England and Wales.<sup>5</sup> Of these communicants 214,470 are given to the diocese of York, which, as already observed, may have been a trifle more populous than the actual shire. Now the difference between the number of communicants (mainly persons over or approaching 16) and the total population would then be very considerable—probably an addition of more than 50 per cent. would be necessary to arrive at a total population figure. Accepting, as I think we must, some addition of this order, we again arrive at a figure somewhat in excess of 300,000 as the population of Yorkshire at the beginning of the seventeenth century.

Hence, our two independent lines of investigation do in fact coincide admirably. Rough as they are, it is unlikely that by further investigation we can much better them at this early period and they will serve our present purpose well enough. And now what of our recusant and non-communicant figures? With what sort of overall population figure would it be appropriate to

<sup>1</sup> The writer, who would be grateful to receive any additional suggestions, reserves the right to modify these passages in the light of fuller information and maturer thought.

<sup>2</sup> Cunningham (*English Industry and Commerce*, i, 331 note) follows cautious calculations when he speaks of the population as between 2 and 3 millions from Henry VII to Elizabeth. On the other hand, by the end of the 17th century several more or less scientific contemporary estimates are available. King says 5½ millions, Petty from 6 to over 7 millions, Davenant, 7-8 millions and Barbon 7 millions (Lipson, *Econ. Hist. Eng.*, iii, 165). The period between these calculators and Elizabeth had been one of steady growth and one would hazard a conjecture that in 1604 the English numbered nearer 4 millions than 3. The Spanish Ambassador Gondomar estimated our population in 1618 as 3,600,000.

<sup>3</sup> Cf. the table in Cunningham, *op. cit.*, iii, 936. Yorkshire's total exceeds that of London (111, 215) and more than doubles that of either of the next two counties, Devon and Norfolk.

<sup>4</sup> Allowing for such factors as the rapid growth of Stuart London, the Yorkshire proportion may have been higher, rather than less, in 1604.

<sup>5</sup> I rely again on the figures as tabulated by Mr. Magee (*op. cit.*, p. 83).



compare them? Surely not with the gross total population of over 300,000, since, though our survey does occasionally mention offenders as young as 10 or 11 years of age,<sup>1</sup> we cannot suppose it to comprise any significant part of the younger children of recusant families. Hence it would surely seem fairer to the recusants to compare their total with some such figure as 200,000, the approximate total of *communicants* in the shire. And let us also be liberal to the point of rashness at the other end of the scale;—let us suppose our recusants and non-communicants approached 3,000 in number. What then do we find? That even on such a basis of comparison the Yorkshire recusants and non-communicants at that peak-year 1604 cannot have comprised as much as 1½ per cent. of the people of Yorkshire! Certain recent writers, after very complicated and, in my opinion, very flimsy calculations on the basis of estimates infinitely more shadowy in character than our Yorkshire survey, have argued for percentages vastly in excess of this. Whether, approximate as they are, the above sources and deductions are more solid than theirs, I am very content to leave students to judge for themselves. A recusant plus non-communicant population of only 1½ per cent. in Yorkshire in 1604 proves no doctrinal or spiritual truths. Yet it does throw real light upon the social and political history of England, since this shire stood in respect of its romanist intensity among the first half-dozen of the kingdom.

### III. THE DISTRIBUTION OF RECUSANCY.

To historians of Yorkshire, such considerations as this last remain in one sense matters of subsidiary importance, since an area so large and so diverse in its religious and social history cannot very profitably be regarded as a homogeneous whole. As indicated by the present writer on a previous occasion, Yorkshire romanism remained throughout the Elizabethan period strikingly localised within certain limited portions of the shire. And such we still find to be the case in the year 1604. A comparison between my earlier map based on the Elizabethan visitations and the map herewith printed shows that the hard core of resistance existed as before only in four areas:

(1) The north-eastern coastal strip—the moorland and fishing parishes in Langbargh and Whitby Strand. Hereabouts we observe the piquant spectacle of a rivalry between the puritan Sir Thomas Posthumus Hoby of Hackness and the Cholmleys, who, though for the most part catholics or crypto-catholics, vigorously defended against him their hereditary rights to the bailiwick of Whitby Strand,<sup>2</sup> an area notorious as a place of entry into the kingdom for seminarists and of egress for catholic refugees. In February 1599 Hoby wrote to his cousin Cecil, 'the place I

<sup>1</sup> "John Holmes gent. of the age of x or xj yeres, son to Mres Holmes of Brampton in the parish of Wathe. A recusant" (Peacock, p. 2; I have verified this item in the original).

<sup>2</sup> For an account, cf. *Vict. Co. Hist., Yorks., North Riding*, ii, 503-4.

have referred to, being situated along the sea coast, is of the more danger, having in it sundry creeks fit to receive such persons as come for evil intents, who do ever shun great ports.<sup>1</sup> In a subsequent letter (February, 1601) Hoby sketches the neo-feudal position still maintained by the Cholmleys in this liberty, 'all which lieth in the most dangerous parts of Yorkshire for hollow hearts, for popery.'<sup>2</sup> These contentions of a hostile observer are partially confirmed by Sir Hugh Cholmley's later memoirs of his own family, in a passage we propose to quote later in another connection. Yet even in this area, we should beware of exaggerating the recusant problem beyond its due proportions, remembering that it suited not only the religious views but the temporal interests of men like Hoby to exaggerate the recusant peril in their reports to the government. If, for example, we turn from Sir Thomas Hoby to his wife Lady Margaret, whose highly informative diary covering the period 1599-1605 was published a few years ago,<sup>3</sup> we certainly fail to receive the impression that this peril dominated the everyday life of Hackness manor house. Here if anywhere we should expect to hear much of the problem, yet during these years of its climax, Lady Hoby, so far as I observe, only mentions it once in 1599, when her husband searched a house for papists,<sup>4</sup> and again only in April-May 1605 when Hoby received letters from the Privy Council concerning recusants,<sup>5</sup> attended a meeting at "Fyling church" to take order against them and sat on a recusant commission at Snainton.<sup>6</sup> Otherwise the wife of this Puritan notable walked daily apparently unattended, in the lonely dales of this allegedly dangerous area; the manifold struggles of material existence and the constant spiritual disciplines of strict puritanism fill almost the whole of her very detailed picture. Even in the Liberty of Whitby Strand the texture of everyday life was emphatically not woven of religious plots and feuds.

(2) A part of Richmondshire, mainly speaking certain rather obscure parishes in the Gilling West wapentake between Richmond and the borders of Durham, but also extending into Swaledale. Thirty-five years previously this area had become deeply involved in the Revolt of the Northern Earls and had then been described by one of Burghley's correspondents as "above the residew of the shire" in its reactionary efforts.<sup>7</sup> Now in all probability it was much

<sup>1</sup> *Hist. MSS. Comm. Rep., Cecil*, ix, 68.

<sup>2</sup> *Ibid.*, xi, 39-40. Compare also the important letter in S. P. Dom. Eliz., cclxxvii, no 99, where Cecil's informant says that "twenty miles along the coast the people are wholly defected from religion and resist all warrants and officers that come amongst them." Cf. also the passages quoted regarding Grosmont Priory in *Vict. Co. Hist., Yorks., North Riding*, ii, 345.

<sup>3</sup> *Diary of Lady Margaret Hoby*, ed. D. M. Meads (1930).

<sup>4</sup> *Ibid.*, p. 110.

<sup>5</sup> *Ibid.*, p. 218.

<sup>6</sup> *Ibid.*, p. 220.

<sup>7</sup> J. J. Cartwright, *Chapters of Yorkshire History*, p. 144. This correspondent is referring to Richmond, Thirsk, "and the townes adioyninge." On the distribution of rebels and executions in 1569-70, see H. B. McCall in *Y.A.J.*, xviii.



less solidly defiant than some writers suppose. In this connection account should be taken of the enormous size of many of these Richmondshire parishes. The total of 70 offenders in Grinton parish<sup>1</sup> may appear at first sight impressive, yet it extended over 52,081 acres, included the townships of Grinton, Melbecks, Muker and Reeth, which in turn contained the hamlets and villages of Feetham, Gunnerside, Kearton, Lodge Green, Low Row, Pot Ing, Angram, Keld, Thwaite, Birkdale, East and West Stonesdale, Oxhop, Ravenseat, Satron, Fremington and Healaugh.<sup>2</sup> Though in the last century the parishioners numbered only about 2,000, they may well have attained some comparable figure in the seventeenth century. Seventy recusants and non-communicants among a scattered population numbering at least several hundreds represent a thin sprinkling over a great area. The same principle applies to such great parishes as Kirkby Ravensworth and Barn-ingham, though it may be conceded that Stanwick St. John, a smaller parish strongly influenced by the Catterick family, was then perhaps the most distinctly romanist village in Yorkshire.

A striking aspect of the Richmondshire figures remains the local tendency towards non-communicancy as opposed to total recusancy. It will be observed that 222 out of a total of 278 North Riding non-communicants are to be found in the four Richmondshire wapentakes, whereas in Langbargh, where the incidence of recusancy proved on the whole heavier, the number of non-communicants appears quite negligible. In this latter area there is reason to suppose that the recent influx and success of the seminarists, who would undoubtedly press for complete rejection of the state church, was at this moment exceptionally strong.

(3) A district between Masham to the north and Spofforth to the south, nearly all of it in the wapentake of Claro, an area described to Cecil in 1598 as "the worst part of Yorkshire for recusancy."<sup>3</sup> Here again non-communicants are very numerous in certain parishes. All save six of the 92 offenders at Kirkby Malzeard are content with this form of resistance, presumably following the example of the many local gentry who appear there. Likewise at Spofforth, half the offenders imitate their leader Sir Edward Plumptre, a non-communicant, and not his recusant wife.

In this area again, we should beware of over-estimating the density of the actively romanist population.

Ripon, Boroughbridge, Knaresborough, Stainley, Nidd, Ripley and Hampsthwaite had all shown a fair number of recusants in the Elizabethan period, but again many of these were populous parishes wherein actual recusants can at no period be

<sup>1</sup> Including those of Muker, given separately.

<sup>2</sup> *Vict. Co. Hist., Yorks., N.R.*, i, 236.

<sup>3</sup> *Hist. MSS. Comm. Rep., Cecil*, viii, 173. The writer is pleading for the appointment of preaching clergy to the Ripon prebends, as "the people continue in extreme obstinacy and are feared to become very dangerous."

shown to have constituted more than a tiny proportion of the population. Interesting light on prosecutions for recusancy in this area is thrown by the West Riding Sessions Rolls of 1598,<sup>1</sup> which show 121 persons from Claro parishes being indicted for recusancy at Wetherby Sessions. With four exceptions these are all common people, yeomen, artisans, labourers and their womenfolk, the general picture in most parishes corresponding fairly closely with that in our survey of 1604. This is clearly another full list for certain parishes at least, not a mere attack on romanist notabilities; the indictments are actually laid not under 23 Eliz. cap. 1 with its £20 fine. but merely under the Act of Uniformity entailing on conviction a fine of one shilling per week<sup>2</sup>

(4) An area between Leeds and Howdenshire, largely consisting of certain parishes in Barkston Ash, but including a major and long-standing knot of recusants in the great parish of Hemingborough, the home of the famous Babthorpe family and the only remarkable centre of resistance in the East Riding.<sup>3</sup> Here again we are dealing with large, populous places and with this latter exception the actual communities of recusants remain small and scattered.

Throughout the vast remainder of Yorkshire, recusancy shows but the thinnest distribution—its sparsity may already have been observed from the fact that just over half the total number of offenders are to be found in the four wapentakes of Barkston Ash (plus Hemingborough), Claro, Gilling West and Langbargh, even though these four do not very neatly comprise the actual four recusant areas. Again, it might be observed that 824 offenders, or more than one-third of the total, came from only 15 of the 600 or so parishes of the shire. Such localisation we should bear in mind when making those rather loose statements to the effect that "Yorkshire" stood among the most strongly romanist counties. In so many of its historical aspects, Yorkshire proves so large and so heterogeneous as to defy the type of generalisation that one makes of the average-sized shires of England. To explain this localisation of recusancy would lead us into involved local and personal considerations; we should need to trace the development of communities in individual parishes, the activities of particular seminary priests, above all the active or covert support given to missionary work by the great catholic families of Yorkshire. Yet to embark fully upon these matters can be no part of the present essay, which must conclude by mention of a few notable factors in recusant society revealed by our survey of 1604.

<sup>1</sup> *Y.A.S., Rec. Ser.*, iii.

<sup>2</sup> *Ibid.*, pp. xx-xxv, 51. In the same year odd recusants, even though poor men, might be charged under *both* statutes. Cf. *ibid.*, pp. 91, 122. I presume the justices were anxious to avoid the embarrassment of having to imprison very large batches of convicted persons for non-payment of fines.

<sup>3</sup> Much will be found on the religious and personal history of the Babthorpes in Burton's *History and Antiquities of Hemingborough*, ed. Raine.



## IV. SOME FEATURES OF RECUSANT SOCIETY

The latter document yields in fact a good deal more than mere lists of recusants and non-communicants, the articles of enquiry having demanded reports on clandestine baptisms and marriages, on notable proselytisers and active agents of romanism, on unlicensed schoolmasters suspected of romanist tendencies.

Some 85 or more children, in some places several from one family, are reported as secretly baptised, though at what precise time is seldom stated. Nearly all these were the children of actual recusants who had either baptised their offspring privately or were suspected of procuring their baptism by seminary priests. Bartholomew George of Stokesley for example, "had a childe borne in January last which he refused to bring to the church to be baptized and since, as they heare, it was baptized secretlie at Mr. Barthram house, with some popish priest, for two strangers were sene ther in the night tyme suspected to be preistes."<sup>1</sup> Marriages thought to have been secretly solemnized by catholic priests also proved comparatively common, some 47 cases, a few of doubtful authenticity, being reported in the survey. After the Cholmley marriage to which reference has already been made, perhaps the most interesting of these suspect marriages is reported under Naburne parish, where Sir George and Lady Katherine Palmes have been cited into the Consistory Court at York "to prove there mariage, vehemently suspected to have bene married by some popishe priest."<sup>2</sup> One would gladly learn the result of this citation, the more so since Lady Katherine was none other than Katherine Babthorpe, daughter of those famous witnesses to the roman catholic faith, Sir Ralph and Lady Grace Babthorpe.<sup>3</sup> In our survey, Sir Ralph and his son Sir William both appear at Osgodby as non-communicants, their wives Grace and Ursula<sup>4</sup> as recusants. The times were still comparatively distant when Ralph and Grace, the latter in her widowhood a nun, were both to die in the Low Countries and when Sir William, crippled by fines and forfeitures, would sell the family estates and perish overseas fighting for the Spaniards.<sup>5</sup> Of all the great catholic families of Yorkshire this one presents the most picturesque and exemplary tale.

The survey likewise presents a number of persons as "seducers" of others or as "maintainers" of known recusants. In a handful of cases, these last are noted as likely to be seminarists in disguise. In Ripley parish "they present that there hath bene at dyvers tymes within these xij monethes resort of strangers as

<sup>1</sup> Peacock, p. 95.

<sup>2</sup> *Ibid.*, p. 141. Sir George, his wife and mother are also presented as recusants and his father John Palmes Esq. as a non-communicant.

<sup>3</sup> Cf. Burton, op. cit., pp. 316 *seqq.*

<sup>4</sup> *Née* Tyrwhitt of Kettleby, Lincs., a well-known catholic family with whom Sir Ralph occasionally took refuge.

<sup>5</sup> *Ibid.*, loc. cit., gives the details. Sir William actually sold the manor of Osgodby to Sir Guy Palmes of the other and junior branch of that family. For both branches see *Glover's Visitation of Yorks.*, ed. Foster, pp. 90-91.

it is verily thought of semynary priests to Newton Hall. And one of the priestes is named by the name of Salter and to that house do resort in great companys many of the recusantes aforesaid. In which house it is thought there be sundry conveyances and secret dennes.’<sup>1</sup> Needless to say, the Ingleby family and their kinsmen the Yorkes are prominent in this strongly romanist parish. John Ingleby, whose elder brother Francis had been executed as a seminary priest in 1586, had married Katherine sister of Sir Ralph Babthorpe<sup>2</sup> and both appear here as long-standing recusants together with several of their servants.

More interesting still are the returns regarding unlicensed schoolmasters, since they afford some hints on that numerous but very obscure class of teachers outside the endowed grammar schools, which latter usually absorb all the attentions of historians of education. Staincliff and Ewcross wapentake for example presented the names of various schoolmasters who may have been unlicensed, but are not stated to be recusants. From this fortunate chance we learn that recognised schoolmasters were in action at Burnsall,<sup>3</sup> Kirkby, Gargave, Thornton-in-Craven, Bolton and Slaidburn, at which last place three schoolmasters are enumerated.<sup>4</sup> At Sheffield are named no less than six schoolmasters who “come not to the church,”<sup>5</sup> a curious phenomenon not necessarily connected with romanism, since the offending pedagogues show no apparent relationships with the trivially small list of Sheffield recusants. Throughout the whole shire, ten teachers, one of them a woman,<sup>6</sup> are definitely noted as recusants and of these six were private tutors employed by catholic gentlemen.<sup>7</sup> “George Egleseme a Scottishe man, a scolemaster wich teacheth the children of Sir Thomas Reresby”<sup>8</sup> at Thribergh was identified by Peacock—perhaps rather precipitately—with George Eglisham, the turbulent and quarrelsome Scottish physician and poet who later accused Buckingham of poisoning James I.<sup>9</sup> Another schoolmaster, Christopher Newstead, presented as non-communicant at Hutton Bonville, occupied an interesting intermediate position, being “by Richard Stockdale reteyned to teach the youth of the parishe.”<sup>10</sup>

<sup>1</sup> Peacock, p. 49.

<sup>2</sup> *Glover's Visitation*, p. 600. John and Francis were sons of the elder Sir William Ingleby (*ibid.*, p. 283).

<sup>3</sup> Sir William Craven founded the Grammar School here in 1612.

<sup>4</sup> Peacock, pp. 20-21. We also find at Minskip “Francis Barwick being a poor man doth teach children to write and rede” (*ibid.*, p. 51).

<sup>5</sup> *Ibid.*, p. 9.

<sup>6</sup> Lucy, wife of Thomas Scaife of Huntington: “she also teacheth children; a recusant since 25 Marcii 1603 and not before” (*ibid.*, p. 118).

<sup>7</sup> *Ibid.*, pp. 6, 13, 43, 78, 86, 97 (probably an ancestor of the martyr Nicholas Postgate), 128.

<sup>8</sup> *Ibid.*, p. 6. Reresby himself was a J.P. during the later years of Elizabeth, but his wife is here represented as evading communion.

<sup>9</sup> Eglisham has since been the subject of an article in the *Dictionary of National Biography*. He spent his early years largely in Scotland and at Louvain but owing to extreme lack of evidence before about 1612 it seems impossible definitely to confirm or to deny this tempting identification.

<sup>10</sup> Peacock, p. 93. Stockdale also had a recusant wife.



Much other miscellaneous information regarding the catholic gentry and their households might be gleaned from the survey, which requires, of course, integration with other sources, with the state papers, with family histories and genealogies, with the valuable collections of the seventeenth-century martyrologist Father Grene.<sup>1</sup>

Again, our survey confirms previous evidence that in the principal recusant districts of Yorkshire, the catholics did not offer resistance merely in small isolated groups, but had effected some degree of organisation. At Birkin, for example, we hear of "a running recusant: John Baxter, alias John of no parish, he resorteth often to the houses of John Cowper and Henry Watkyn of West Hadlesey. See presentment of Shereburne for him."<sup>2</sup> Turning hence to Sherburn, we find, "Running recusant or messenger among them. They also present that there is one John, a Tayler whose surname they cannot lerne, but commonly is called John of no parish, which hath resorted to the house of the said Agnes Rawson for those 7 years or more and is thought to be a dangerous fellow and a common messenger from one recusant to an other, and never came to the church."<sup>3</sup> These very active agents may as commonly have been women, like this notorious widow Agnes Rawson, who "hath had semynaries or Jesuytes dyvers tymes resorting to her house and that some of her servants have confessed that they found dyvers things in her barne, as cope, challice, bookes and such like thinges as they use for masse, but the names of the priestes they know not."<sup>4</sup>

At Asselby in Howdenshire there lived Ellen Nutburne, servaunt unto the said Laurence Craven (himself a "new" recusant) . . . a pestilent seducer of others and a common intelligencer."<sup>5</sup> Such cases serve to remind us of the fact—one obvious in almost every recusant community in our survey—that women recusants far outnumbered the men, a phenomenon due perhaps in part to a certain uncompromising piety and religious conservatism characteristic rather of the female mind, but also in large measure to more mundane motives. For whereas the male recusant stood liable to forfeit two-thirds of his lands on the non-payment of £20 per month, no very regular forfeitures seem to have been exacted in respect of recusant wives until the passage of the act of 1609, by which their husbands were made liable to one half of these penalties for their recusancy.<sup>6</sup> We are reminded of those passages in which Sir Hugh Cholmley later described the affairs of his ancestor Sir Henry, whom we have already noticed

<sup>1</sup> Cf. *Y.A.J.* xxxv, 166 note.

<sup>2</sup> Peacock, p. 30.

<sup>3</sup> *Ibid.*, p. 24.

<sup>4</sup> *Ibid.*, p. 23.

<sup>5</sup> *Ibid.*, p. 138.

<sup>6</sup> 7 Jac. I, cap. 6. s. 28. Wives appear actually liable by the original act 23 Eliz. cap. 1 and husbands sometimes made composition. In so many families the wives were obviously the leading spirits; it is refreshing to find at Stokesley the wife of a cordwainer who "dare not communicate for her husband" (Peacock, p. 95).

as the adversary of Sir Thomas Hoby and as taking part in our survey:

"He married Margaret, daughter to Sir William Babthorpe,<sup>1</sup> of Babthorpe, Knt. His wife at this time was a Roman Catholic, and he living at Whitby, it was a receptacle to the seminary priests coming from beyond the seas, and landing frequently at that port; insomuch as, I have been told, there have been in his house three or four of them together at a time, and most coming both bare of cloaths and money, have, at his lady's charge, been sent away with a very great supply of both; some in scarlet and sattin, with their men and horses, the better to disguise their professions. All which Sir Henry connived at, being a little then in his heart inclining that way, though he went to church. And as the prosecution of Papists was then severe, so was he put to much trouble and charge for his lady, not only in respect to impositions, but that she was often carried to and kept long in prison, as were most of the eminent Papists in those times . . .<sup>2</sup> After the death of his mother, the Lady Scroope<sup>3</sup> he changed his residence from Whitby to Roxby, where he lived most in the middle part of his age. He was knighted at York by King James, at his first coming into England. About this time it pleased God that he became to be confirmed in the Protestant religion, and his wife absolutely converted to it; and ever after, both of them lived and died very zealous Protestants."<sup>4</sup>

In discussing the Elizabethan visitations, the present writer has previously been at pains to point out the dependence of Yorkshire recusancy upon the support of the gentry. This feature remains almost as impressive in 1604 as earlier; it is still the dominating element in romanist society. Many of the medium-sized and smaller knots of recusants are virtually constituted by the servants and immediate dependents of some catholic gentleman. At Barwick, for example, the list is headed by John Gascoigne Esq., followed by his wife Anne (*née* Ingleby), Laurence Wilson "master of his colemyns," Edward Bennet "his milner at Hillome" and four of his women servants, one of them Elizabeth Wortley, "an antient servant there, she is thought to be a dangerous recusant in persuading." After these come Gascoigne's shepherd Thomas Thompson, Joan his wife, "Barbury" Robinson and Ellyne Vevers, wives of Gascoigne's menservants, and finally Gascoigne's mother Maud (*née* Ardington, a Yorkshire family boasting several well-known recusants).<sup>5</sup> After this we are not surprised to learn that "Mr. John Gascoigne his children weare all secretlye baptized and

<sup>1</sup> And sister to Sir Ralph whom we have noticed above.

<sup>2</sup> Sir Henry's family were expensive in other respects, his son Richard's complicity in the rising of Essex costing him £3,000. His career into debt was also accelerated by expensive outings with his cousin George, third Earl of Cumberland.

<sup>3</sup> Her first husband had been John, Lord Scrope of Bolton, and she heads the list of Whitby recusants in the visitation of 1590. (*Cf. Y.A.J.*, xxxv, 176-7).

<sup>4</sup> *Memoirs of Sir Hugh Cholmley* (edn. 1870), pp. 10 *seqq.*

<sup>5</sup> Peacock, pp. 14-15.



none of them came to the church nether is it knowne where they were baptized." Gascoigne like his mother lived to ripe old age and saw most of his numerous children develope along the intended lines—John became abbot of Lamspring in Saxony, Francis a secular priest, Michael a monk and Katherine, one of his six daughters, Lady Abbess of Cambrai.<sup>1</sup> Meanwhile at Barwick in 1604 almost the whole body of recusants were his family or employees and the rest very probably his tenants.

To illustrate the predominant part played by the catholic gentry we need no very elaborate process of research and theory—the document speaks clearly enough for itself, though naturally not accounting for the covert encouragement given by many gentry who themselves did not venture open defiance. I have compiled and printed as an appendix to the present article a list of all those parishes where 15 or more offenders were presented and under each parish noted the names of gentry who were themselves actually presented in 1604 as offenders. Genealogists will at once recognise most of these names as representing leading families of the shire and as readily identifiable in the heralds' visitations.

The list, it will probably be agreed, illustrates strikingly enough the importance of regional and territorial influence in the greater centres of recusancy in Yorkshire, influence which nevertheless could still more strikingly and consistently be illustrated did space allow us to survey the *lesser* recusant communities. And questions of influence apart, gentlefolk were, absolutely speaking, very numerous among the active romanists at this time. Though the census, as we have remarked, is far from being a mere list of notables—it includes hundreds of persons explicitly described as labourers, poor men, yeomen, fishermen and tradesmen—it includes a far higher proportion of gentry than would have been the case in any chance section of the population. Traditions died hard. In the North the gentry had, even at this date, been less uniformly conditioned to blind obedience than elsewhere. And as so many anecdotes show, these Yorkshire gentry produced womenfolk of exceptional pertinacity and strength of character, women who knew how to exploit the privileges of their sex and station, even in relation to the King's Council in the North. Perhaps the most important fact of all, the aristocracy, who were the hosts of the seminarists, remained much the most likely to be affected by their arguments and persuasions. A priest who enjoyed by far the greater part of his contacts in the retired chambers and out-buildings of the manor house would obviously accomplish there most of his conversions. And that the maintenance and revival of English romanism owed everything to

<sup>1</sup> Cf. the pedigrees in Thoresby's *Ducatus Leodiensis* (ed. Whitaker, 1816), pp. 179-80 and in Foster, *Yorks. Pedigrees*, i. Gascoigne, a baronet in 1635, died within a few days of his wife in 1637, but he is said elsewhere (*Glover's Visitation*, p. 239) to have been 30 in 1584. His uncle William was a Carthusian monk at Brussels.

these few hundreds of intrepid missionaries, no serious student of our religious history would question.

The partial exceptions to this all-but-universal aristocratic domination of recusant society would seem to be of two kinds. In York, Ripon and, to a lesser extent, Richmond there existed a recusancy of townspeople in which resident gentry played a slight but not predominant part. Our list for Ripon—not very large considering the size of the liberties—contains, for example, only four gentlefolk, the rest being persons of all classes, several described simply as poor people, others more specifically as websters, glovers, tailors, fletchers, yeomen, teachers, and one as a chirurgeon. Our other apparent exception lies in certain north-eastern parishes where few or no gentry appear on the recusant list—notably at Brotton, Kirk Leavington and Lofthouse. This whole area includes indeed many more “new” recusants than most others and these we find very frequently described as poor labourers, fishermen or tradesmen. It would be dangerous to postulate from this rather meagre evidence any local wave of “democratic” recusancy, since many influential romanist or crypto-romanist gentry lived at no great distance from these parishes. With most probability we may ascribe these local developments once again to the special activities of the seminarians, who were now entering hereabouts in greater numbers than ever and who, in this area most accessible to themselves yet most remote from the seat of government, would find some of their best opportunities to influence the populace. We can at least argue that in this limited area catholicism was in 1603-4 making some progress *outside* the immediate entourage of the aristocracy.

#### V. CONCLUSION

Our general conclusions hence run somewhat as follows. The census of 1604 is one of the fullest and most reliable of earlier surveys of recusancy and when all reasonable allowances have been made for possible omissions, it suggests that Yorkshire recusants and non-communicants together numbered less than 3,000 in a total communicant population of about 200,000. Mere non-communicants constituted about a quarter of the total of offenders. The vast majority lived inside four circumscribed groups of parishes, the distribution of recusancy being extremely sparse outside these areas. And even in the recusant districts of Yorkshire we cannot suppose that anything approaching a majority of the inhabitants were in any sense active romanists. Yet amid hopes of the relaxation of the penal laws, recusancy had clearly increased since the death of the late Queen, nearly a quarter of the recusants and non-communicants having offended only since that date. Recusant society appears to have been to some extent organised and information to have been exchanged between communities.

Seminary priests were operating with fair success, probably with the active assistance of influential catholic families, whose



womenfolk in particular stand out as most consistently defiant in their rejection of the state church. Members of these families, Constables, Babthorpes, Inglebys, Cholmleys, Tankards and the rest, many of them local magnates and landowners, figure personally among the offenders at almost every place where recusant communities existed, though in the north-east there appear certain slight signs of more popular movements of conversion.

Two final notes of caution need to be sounded. The present writer is not arguing that the Yorkshire catholic revival was "an aristocratic movement," since such terminology would seem at best otiose. Yorkshire society was then predominantly rural and every development in that society was still necessarily based upon its essentially aristocratic and patriarchal structure. The growth of the Counter Reformation in England was no more and no less aristocratic in leadership than that other contemporary religious phenomenon, the growth of a genuine and heartfelt anglicanism which eventually supervened upon the mere establishment of a state church.

In the second place, the foregoing essay concerns itself little with romanism as a whole, but rather with recusancy and non-communicancy, with those overt if negative actions by which some roman catholics contraverted the laws of the land and placed themselves in a new juridical relationship with society. Now recusancy is not synonymous or coterminous with roman catholicism, that much more impalpable and protean phenomenon. A roman catholic might be one or more of many characters; he might be a plotter and a supporter of foreign invasion plans, an active concealer of Jesuits, a frequent hearer of masses, a consistent absentee from church, whether or not suffering penalties thereby, a non-communicant only, a type of church-papist who attended even communion but was known or suspected to despise the Anglican Establishment; he might—though this once numerous class cannot have remained so by 1604—be a mere admirer of ancient liturgies and observances, so to speak a "medievalist" rather than a "counter-reformationist."

In his *magnum opus* that outstanding ecclesiastical historian Professor R. G. Usher prints a map entitled "The Distribution of Catholic Laymen, 1603" with percentage figures for each shire showing "approximately what proportion of the population were open or secret catholics in 1603."<sup>1</sup> From this we learn that the proportion was 30 per cent. in south-west Yorkshire, 45 per cent. in the East Riding, 60 per cent. in the north-east and 70 per cent. in the north-west. However we define a "catholic layman" and with whatever hardihood we permit of guessing at these percentages, I would argue that these figures are monstrously too large, especially in respect of the East Riding, where not the faintest evidence for any considerable percentage exists at this date. It may well have been the case that everywhere the

<sup>1</sup> *The Reconstruction of the English Church*, i, 135.

romanists-at-heart greatly outnumbered the actual recusants. Yet even this contention, in view of the growing crystallisation of religious interests, of the increasing acceptance of anglicanism, of the growing isolation of the recusants as a separate society, of the dying-out of those vague "medievalists," even this contention cannot very lightly be assumed correct. Yet the more formidable objection to such figures consists in the fact that *any* percentage—estimates of "catholic laymen" remain so completely a matter of guesswork that historians are scarcely entitled to venture them. The Elizabethan settlement did not even, in the words of the great Queen, "open windows into men's souls," much less record the results of such psychological research. In assessing these percentages Professor Usher may well have had access to sources of which the present writer remains ignorant, yet he is unlikely to have possessed a psychologist's report on every adult inhabitant of Yorkshire in 1603 ! And jesting apart, some such elaborate documentation would prove necessary before we ventured upon percentages of that complex variable, the "catholic layman." One would indeed prefer to regard this map as a *jeu d'esprit*, little related as it is to the Professor's admirably cautious text, which might, incidentally, be studied with profit by more than one religious gladiator unsuitably attired in the *toga civilis* of the historian ! Meanwhile, however dangerous it may be to attach, at this period, figures and percentages to "catholics," we may attach them with much greater confidence to actual recusants and non-communicants, in Yorkshire perhaps with more confidence than anywhere.

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## APPENDIX

The following is a list of all parishes showing 15 or more recusants and non-communicants, the actual number of such offenders being given in the bracketed figure which follows. The names in italics are those of gentry who were themselves actually presented as offenders. The accompanying notes are far from comprehensive but may provide a starting-point for further investigation regarding individual families.

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BARWICK (21). *John Gascoigne, Esq., Anne his wife, Maud his mother; Mary, wife of John Ellys, Esq.* This place is discussed above.

MITTON (18). *Wife of Bartholomew Shereburne.* Presumably only a minor member of the great local family.<sup>1</sup>

THORNTON IN LONSDALE (15). *Marmaduke Readman, Esq., and several of his family,* one with a very active romanist record.<sup>2</sup>

<sup>1</sup> Y.A.J., xxxv, 175, note 1.

<sup>2</sup> Y.A.S. Rec. Ser., iii, 112-14.



CARLTON (25). *Richard Stapleton, Esq., George and Robert Stapleton, gents.* Those were sons of Sir Brian Stapleton of Carlton and his wife Elizabeth daughter of George Lord Darcy. The family present a consistent recusant policy.<sup>1</sup>

SPOFFORTH (27). *Sir Edward Plumpton and his wife* (née Ardington)<sup>2</sup>; *George Gelstrop, gent. and wife; Jane, wife of Richard Paver, gent.; Jane Ingleby, widow.*

KNARESBOROUGH (24). *Sir Francis and Lady Trapps;*<sup>3</sup> *William Slingsby and Edward Burnard, gents.*

KIRKBY MALZEARD (92). *Henry Conyers 'of Aserley';*<sup>4</sup> *Stephen and Christopher Malham;*<sup>5</sup> *Robert Dykes, gents., their wives and other gentlewomen.*

RIPON (120). *William Walworth, gent. and wife; wife of William Norton, gent.;*<sup>6</sup> *wife of Christopher Frank, gent.*

RIPLEY (64). *John Ingleby, gent. and wife; Thomas Yorke, gent. and wife.* These are discussed above.

FARNHAM (20). *Wife and sister of Edward Bickardye, gent.* These were presumably related to the martyr Robert Bickerdike and the recusant prisoner Bernard Bickerdike.<sup>7</sup> *John Pullayn of Scotton, Esq. and wife;*—the Killinghall branch of this complicated family was still more notorious for recusancy.<sup>8</sup> *Denis Baynbrig, gent. and wife.*

RICHMOND (15). *Lady Gascoigne, wife of Sir William;*<sup>9</sup> *wife of Leonard Beckwith, gent.,* the latter being probably Leonard of Handale, nephew of the famous Sir Leonard Beckwith who had built for the family fortunes on monastic lands. Despite this, the family remained conservative in religion and allied with several catholic families.<sup>10</sup>

GRINTON (63). *Solomon Swaile, gent. and wife.* They were the prominent family here for centuries;<sup>11</sup> Solomon was still recusant in 12 James I.<sup>12</sup>

<sup>1</sup> Cf. Chetwynd-Stapylton, *The Stapletons of Yorkshire, passim.*

<sup>2</sup> Transcriber of the famous Plumpton correspondence, printed in *Camden Soc.*, iv, which contains a good pedigree and history of this typical roman catholic family.

<sup>3</sup> Cf. Peacock's note, pp. 32-3.

<sup>4</sup> Possibly youngest son of John Lord Conyers of Hornby (*Glover's Visitation*, p. 72).

<sup>5</sup> Malham of Elslack had connection with Kirkby Malzeard (*ibid.*, p. 295; positive identification of these two presents difficulties).

<sup>6</sup> Probably a grandson of Richard Norton, the famous rebel of 1569. Cf. Peacock's note, p. 41.

<sup>7</sup> Challoner, *Memoirs of Missionary Priests*, i, 203; Foley, *Records of the English Province*, iii, 764.

<sup>8</sup> Cf. C. Pullein, *The Pulleyns of Yorkshire, passim.*

<sup>9</sup> Of Gawthorpe, a family significantly related to Percy, Cholmley, Norton, Plumpton, Markenfield and Tunstall (Foster, *Pedigrees of Yorks.*, i, gives a good account).

<sup>10</sup> *Glover's Visitation*, p. 101; Morrell, *Hist. of Selby*, pp. 134 seqq.

<sup>11</sup> *Vict. Co. Hist. Yorks., N.R.*, i, 239 and cf. Peacock's note, p. 67.

<sup>12</sup> He was then 40 and had been recusant 10 years (*Hist. MSS. Comm. Rep.*, ix, pt. i, App. p. 331).

DANBY WISKE (17). *Thomas Conyers and Katherine his wife, Christopher Conyers, gent. and Frances his wife, Marmaduke and George Conyers, gents.*<sup>1</sup>

MANSFIELD (19). *Nil.*

MIDDLETON TYERS (16). *George Franke and Elizabeth his wife (née Beckwith), Margaret Franke his mother and Jane Franke, these of the old family of Knighton.*<sup>2</sup>

MASHAM (86). *Isabel, wife of Christopher Danby, gent., James Danby 'of Ellinton,' gent., Marmaduke Danby of Masham, gent., his wife Margaret and son Christopher;*<sup>3</sup> *Robert Norton, gent.*<sup>4</sup> *and Katherine his wife; John Normanvell 'of Swinton,' gent.;*<sup>5</sup> *Lady Anne, wife of Sir Marmaduke Wivell, "possessed with a palsie,"*<sup>6</sup> *Jane wife of Christopher Wivell, Esq.* The last, a daughter of Sir Robert Stapleton of Wighill, married Christopher, son of Sir Marmaduke.<sup>7</sup> Here presented as a non-communicant, she had been recusant three years in 12 James I<sup>8</sup> and was in 1618 presented at the peculiar court of Masham for harbouring recusants.<sup>9</sup> *Robert Dodsworth, gent.,* probably related to the great antiquary.<sup>10</sup>

STANWICK (106). *Anthony Catterick Esq. and Joyce his wife. William and John Catterick, gents.* They had been the leading family here for five generations, holding the manor till 1638.<sup>11</sup> Anthony was heir to his uncle and namesake, one of the suspect justices of 1564. *Anthony Metcalfe, gent.*<sup>12</sup>

FORCETT (53). *Ambrose Pudsey of Barforth, gent. and Mrs. Elizabeth Pudsey.* The family held the manor of Barforth in this parish from the early 15th century until 1660.<sup>13</sup> Elizabeth appears as recusant in the York Visitation Books; Ambrose was probably her brother-in-law and brother to the Thomas Pudsey who died in York Castle.<sup>14</sup>

<sup>1</sup> I am ignorant of any connection of the Conyers family with Danby Wiske at this particular date. Its pedigrees are numerous but rather fragmentary. Thomas and Christopher were possibly younger sons of Sir George Conyers of Sockburne (*Glover's Visitation*, p. 165).

<sup>2</sup> *Ibid.*, p. 619.

<sup>3</sup> On the reactionary activities and corrections of the Danbys, *cf.* Fisher's *Hist. Masham*, *passim*, especially pp. 260 *seqq.*; *Glover's Visitation*, p. 264.

<sup>4</sup> Another grandson of Richard Norton (*cf.* Peacock's note, p. 74).

<sup>5</sup> Presumably a cadet of the Kirkham family (*Glover's Visitation*, p. 168).

<sup>6</sup> Glover (p. 380) gives Sir Marmaduke's wife as *Magdalen Danby*. He was still living in 1612 when his son was 50. This family was second only to the Danbys in local importance.

<sup>7</sup> Glover, *loc. cit.*

<sup>8</sup> *Hist. MSS. Comm. Rep.*, *loc. cit.*

<sup>9</sup> Fisher, *Hist. Masham*, p. 544.

<sup>10</sup> *Cf.* Foster, *Yorks. Pedigrees*, iii.

<sup>11</sup> *Vict. Co. Hist., Yorks., N.R.*, i, 129; *Glover's Visitation*, pp. 255-6. William and John might be either brothers or sons.

<sup>12</sup> Recusant 12 years in 12 James I (*Hist. MSS. Comm. Rep.*, *loc. cit.*).

<sup>13</sup> *Vict. Co. Hist. Yorks., N.R.*, i, 68.

<sup>14</sup> *Surtees Soc.*, xxvi, 241; *Glover's Visitation*, p. 564.



KIRKBY RAVENSWORTH (27). *Richard Mennell, gent.* Of the Kilvington family, probably the Richard Mennell of Dalton-cum-Gailes who died in 1612.<sup>1</sup> The Markenfields, prime movers in 1569, had once been important here.

BARNINGHAM (21). *Francis Tunstall, Esq. and wife*, lords of the manor of Scargill here since the mid-16th century.<sup>2</sup> *Cuthbert Pudsey, gent.*

MELSONBY (31). *Nil.* The *Gaterd* family, not gentry but apparently of some substance, obviously led the recusancy in this parish.

THORNTON-LE-STREET (19). *Thomas Mennell of North Kilvington, Esq.* appears in innumerable recusant lists, being repeatedly imprisoned and fined.<sup>3</sup> *Leonard Brackenbury, gent.*

STOKESLEY (29). *Nil.*

GUISBOROUGH (39). *George Tocketts, Esq. and daughter Isabel.* The family had held the manor of Tocketts in this parish since the 13th century; it was leased in 1599 to pay their recusancy-fines.<sup>4</sup> George, who had earlier tried to temporise, had now been an open recusant for two years and was being repeatedly presented 1609-1616. Roger his father, Thomas (?) his brother and Roger and William his sons were all prominent sufferers for their religion,<sup>5</sup> but the family finally recovered its lands by conformity in 1653.

EGTON (55). *Dorothy, wife of Ralph Salvin the elder, Esq.* The manor of Newbiggin here was in the hands of the Salvins throughout the 16th and 17th centuries.<sup>6</sup> Grosmont Priory in this parish belonged to the Cholmleys and was the most notorious centre of seminarist activities in Yorkshire.

CRATHORNE (18). *Thomas Crathorne, Esq., Katherine his wife, Bridgett Crathorne widow, his mother.* A very ancient family tracing its ancestry to the Conquest. Thomas lived c. 1582-1637.<sup>7</sup>

KIRK LEAVINGTON (26). *Nil*, but the parish had, successively, close relations with the Percies and the Constables.<sup>8</sup> Amongst the 1604 recusants one *Thomas Man* appears of substance.

<sup>1</sup> George Meynell (? his nephew) held the manor of Dalton in this parish in 1627, when it had probably been long in the family. Roger Meynell (? his half-brother) held the manor of Dalton Norris c. 1584-94 (*Vict. Co. Hist. Yorks., N.R., i, 91*).

<sup>2</sup> This Francis was still acquiring property in 1617, the family flourishing here for some generations later (*ibid.*, i, 42).

<sup>3</sup> J. H. Hirst, *Blockhouses of Hull*, p. 123. He married a daughter of Thomas Pudsey of Barforth and was otherwise related to numerous leading recusant families (Foster, *Pedigrees of Yorks.*, iii).

<sup>4</sup> *Vict. Co. Hist. Yorks., N.R., ii, 361* gives a documented account.

<sup>5</sup> Foley, *op. cit.*, iii, 766; Hirst, *op. cit.*, pp. 81-3; *Glover's Visitation*, p. 195.

<sup>6</sup> *Vict. Co. Hist. Yorks., N.R., ii, 347*.

<sup>7</sup> *Glover's Visitation*, pp. 207-9; neither of these women came of Yorkshire families.

<sup>8</sup> *Vict. Co. Hist. Yorks., N.R., ii, 258-62*.

SKELTON (18). *Robert Trotter, Esq. and Margaret his wife.*<sup>1</sup>

BROTON (28). *Nil*, but the Constables, Conyers, Darcys, Lumleys and other reactionary families had recently been, or actually were, the main landowners in the parish.<sup>2</sup>

LOFTUS (20). *Nil*, but Leonard Beckwith was lord of the manor of Handale here.<sup>3</sup>

LYTHE (30). *Mrs. Katherine Radcliffe of Ugthorpe*. This lady, a daughter of Roger Radcliffe of Mulgrave, Esq.<sup>4</sup> had been prominent amongst Yorkshire women recusants in earlier years<sup>5</sup> and was now in 1604 also charged with "retaining" six other recusants. In 12 James I she was said to be 60 years of age and to have been a recusant 24 years.<sup>6</sup> *Ralph and Dorothy Harding, Ralph Radcliffe, Anne, wife of William Radcliffe, gents. Isabel wife of Thomas Readman*, "a poore gentleman."

HOVINGHAM (37). *Nicholas Bullock, gent., Elizabeth wife of Thomas Bullock of South Holme, gent.*, his sister-in-law.<sup>7</sup> This family had been lords of the manor of South Holme since 1553.<sup>8</sup>

FYLINGDALES (27). *Francis Aislaby, gent. and Bridgett his wife*. The former was said to be 80 years of age and recusant 20 years in 12 James I.<sup>9</sup> *Thomas Aislaby and Susan his wife*.

ESKDALE (30). *Nil*. The *Postgate* family, ancestors of the martyr Nicholas Postgate, are prominent here as also at Egton, where one taught children, though a recusant.<sup>10</sup> I presume them to have been of the yeoman class.

BRANDSBY (20). *Mrs. Ursula Cholmley*, daughter and sole heir of Ralph Aislaby of South Dalton and widow of Marmaduke Cholmley of the Brandsby branch. *Richard Cholmley, Esq.*, perhaps her brother in law.<sup>11</sup> Most of the Brandsby recusants were their servants, much in the manner of the Gascoignes at Barwick.

BUBWITH (25). *Nil*, and to be regarded as part of the same recusant-complex as the contiguous parish of Hemingborough.

HEMINGBOROUGH (63) (including all its townships). *Sir Ralph Babthorpe and Grace his wife, Sir William Babthorpe and Ursula his wife, Francis Babthorpe*. See above.

<sup>1</sup> Trotter of Skelton Castle. She was Margaret, daughter of Thomas Pudsey (*Glover's Visitation*, p. 582).

<sup>2</sup> *Vict. Co. Hist. Yorks., N.R.*, ii, 329-31.

<sup>3</sup> *Vict. Co. Hist. Yorks., N.R.*, ii, 387; cf. above under Richmond.

<sup>4</sup> *Glover's Visitation*, p. 206. Her mother was a daughter of Sir Francis Bigod.

<sup>5</sup> Foley, op. cit., iii, 762.

<sup>6</sup> *Hist. MSS. Comm. Rep.*, ix, pt. i, App. p. 330.

<sup>7</sup> *Glover's Visitation*, p. 498.

<sup>8</sup> *Vict. Co. Hist., N.R.*, i, 508.

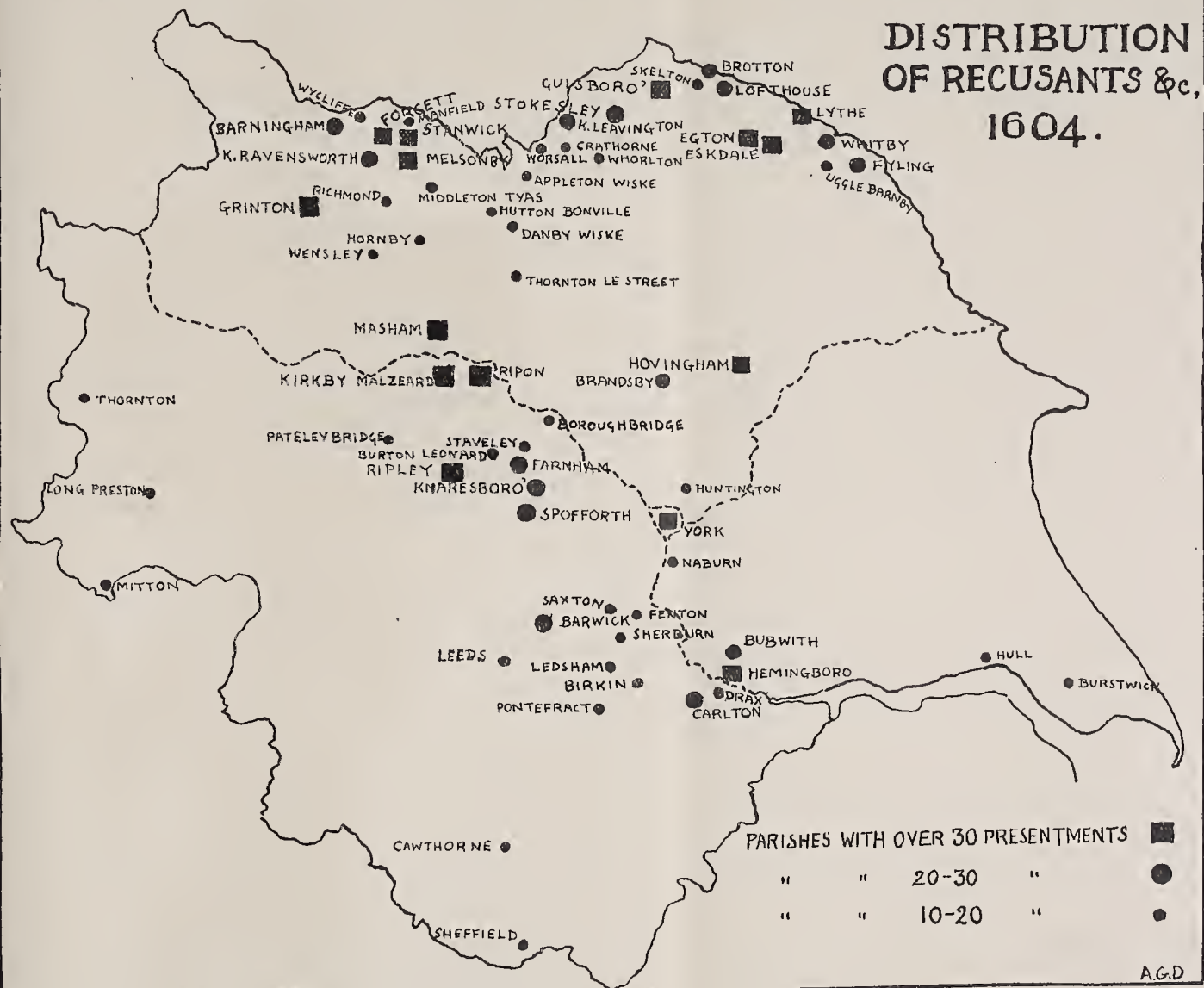
<sup>9</sup> *Hist. MSS. Comm. Rep.*, loc. cit.

<sup>10</sup> Peacock, p. 97.

<sup>11</sup> *Glover's Visitation*, p. 221. Several Richards were living at this date.



# DISTRIBUTION OF RECUSANTS &c, 1604.







## CRUCK-FRAMED BUILDINGS IN YORKSHIRE

BY JAMES WALTON, B.Sc.

Unlike many of the southern counties, where timber is the dominant building material in domestic homesteads, Yorkshire is a county of stone and brick. Nevertheless, until the end of the sixteenth century, timber frameworks were almost universal in Yorkshire and many an existing stone building is merely a covering of such an early framework. All our dwellings, whatever their present form, appear to have evolved from four fundamental frameworks (Fig. 1) and their subsequent development has been governed mainly by a desire for increased living space.

The structure consisting of two or more semi-circular arched ribs joined at the top by a horizontal pole (Fig. 1a) has had little influence on English dwellings. It is familiar to-day through the Nissen hut and the Anderson shelter, it is employed by the Todas of southern India and by certain tribes in the Belgian Congo and it may possibly have been the forerunner of the early rounded arch in stone. The same is almost equally true of the circular type. Many of the Iron Age dwellings, such as those in Grass Woods, Grassington, were circular in plan although built of stone and corbelled after the fashion of the Hebridean beehive dwellings. The cone-shaped framework (Fig. 1b) also survived until quite recently in the charcoal burners' huts of South Yorkshire and the Lake District. (See Innocent, C. F.: *The Development of English Building Construction*, 1916, pp. 8-11, and Addy, S. O.: *The Evolution of the English House*, 1910, p. 3).

Innocent has put forward the theory that the round house was the earliest but, owing to its inconvenient shape and limited size, it was quickly abandoned in favour of subsequent modifications. "The next development of the house," he says, "was to make it oblong in plan, straight sided with rounded ends, and the builders were at once faced with a difficulty in supporting the tops of the poles which formed the framework of the straight sides of the building" (op.cit. p. 12). He further contends that the idea of a ridge-pole was first conceived in order to overcome this difficulty. Dwellings in which two circular frameworks are joined together to form an oval structure (Fig. 1c) are widely distributed. Ake Campbell refers to oval stone houses in Galway and Lewis which probably resulted from the amalgamation of two circular buildings ("Notes on the Irish House," in *Folkliv*, 1938, pp. 180-9), the *capanna* of the Roman Campagna herdsmen and charcoal burners had a similar origin (Erixon, Sigurd: "Some Primitive Constructions and Types of Lay-out, with their relation to European Building Practice," in *Folkliv*, 1937, pp. 124-36), whilst Mr. H. S.

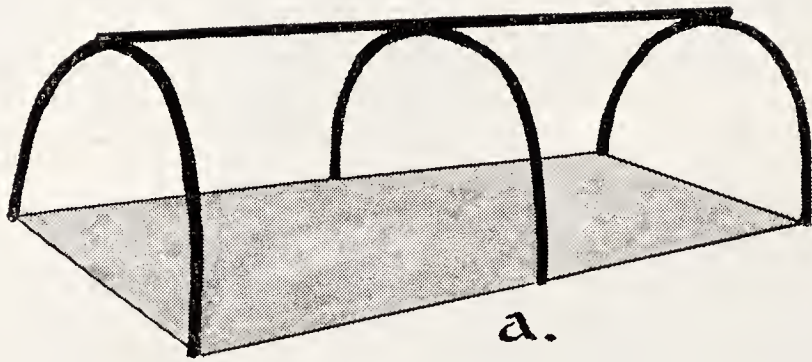
Cowper has described bark-peelers' huts from High Furness having the same form. Of these he writes, "Instead of three, four strong poles are selected, and the tops being lashed to a short ridge-pole 4 ft. long, the four feet are planted on the ground at the four angles of a parallelogram of about 13 ft. by 8 ft. Side walls with rounded corners, and constructed of two faces of wattle packed between with earth, are then raised to a height of 2 ft. On the top of this wall, lighter poles of elder, birch and ash are then placed together, with their top ends supported against the ridge-pole. The sodding is then proceeded with as in the colliers' huts, but it only extends down to the top of the wattle wall" (*Transactions of the Cumberland and Westmorland Antiquarian and Archaeological Society*, xvi, 1901). In Central India oval huts are fairly common (see Walton, James: "The Village Homes of India," in *Modern Review*, March 1943, pp. 193-7) and they are often associated with rounded forms (Piggott, Stuart: "Farmsteads in Central India," in *Antiquity*, Sept. 1945, pp. 154-6) but they appear to have resulted from a fusion of the circular dwelling with a rectangular type in which the ridge-pole is carried on a number of forked uprights.

It seems highly probable that the hip-roofed rectangular dwelling resulted either from joining two circular frameworks by a ridge-pole, as in the Roman *capanna*, or from the combination of round and rectangular forms, as in the Indian examples. There is no evidence, however, to indicate that the gable-ended building evolved from the circular, nor is there any need for such an hypothesis. Gudmund Hatt has described rectangular Iron Age dwellings in Jutland ("Dwelling Houses in Jutland in the Iron Age," in *Antiquity*, June 1937, pp. 162-73) which he concludes must have had a ridge-pole of some sort and it seems probable that the four frameworks indicated are equally fundamental and of equal antiquity.

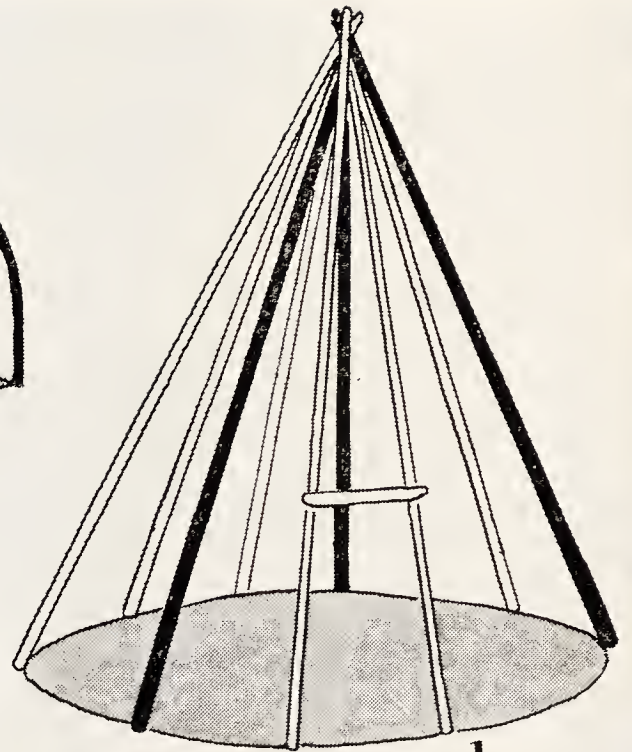
The simplest support for a ridge-pole is a couple of upright posts, forked at the top, in which the ridge-pole can rest. Straight poles sloping from the ridge-pole to the ground would carry the roofing material and complete the bivouac (Fig. 1d) and to provide increased living space the whole could be lifted on four forked corner posts with additional ones along each side as required (Fig. 1e). The resulting structure would be built, therefore, around an axial row of forked uprights carrying the ridge-pole and evidences of buildings having such a central row of "king-posts" still remain. Innocent mentions a cottage on the west coast of Lancashire which had its ridge-tree carried by a post in the centre of the living room (op. cit., p. 19). A still finer example of this primitive structure is that of a field shed in Newtondale, Yorkshire, photographed by Mr. Hope Bagenal and reproduced by Ralph Tubbs as the title page illustration of his book, *The Englishman Builds*. In this case, although the gable walls are of stone, a row of forked uprights is employed to carry the ridge-tree. The actual rôle of the ridge-pole in the construction of the roof was never fully realised by the early builders who believed that it



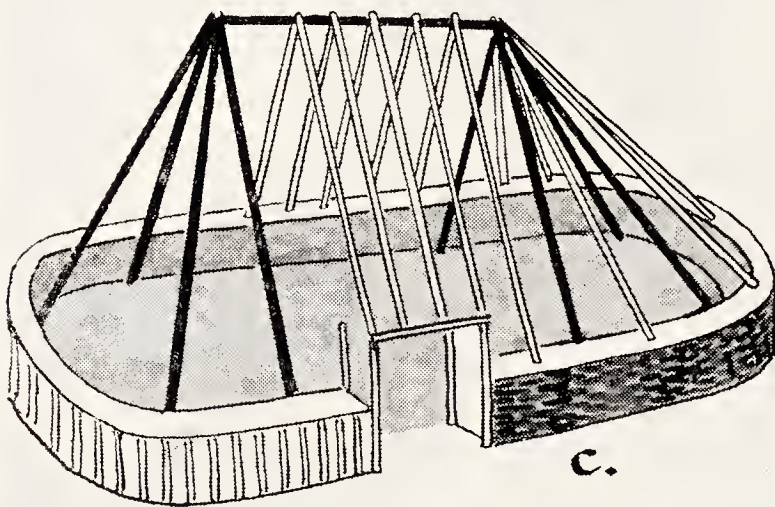




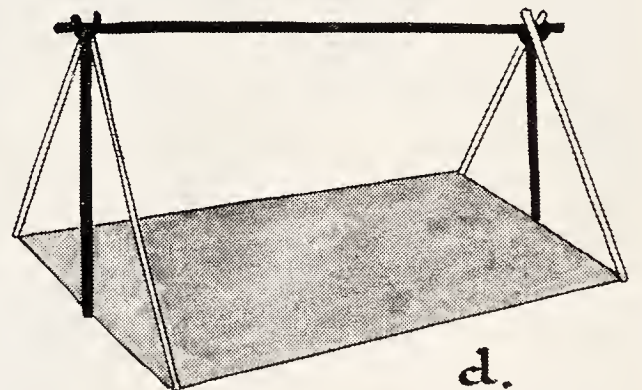
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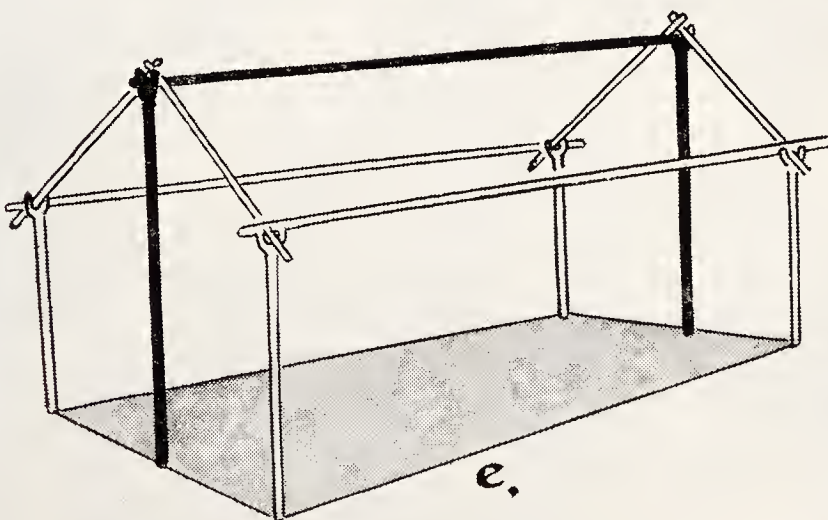
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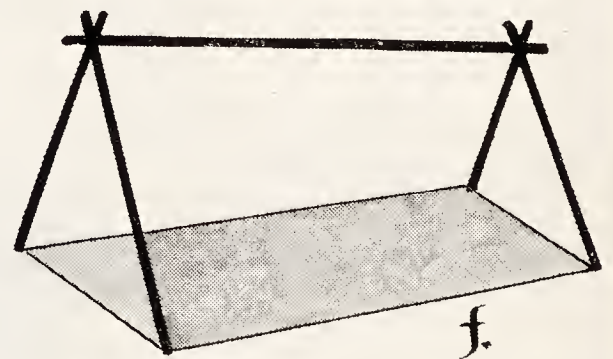
c.



d.



e.



f.

Primary members  
in black.

## Fundamental Timber Frameworks

FIG. 1



carried the entire weight of the roof and consequently required the row of king-posts for its support. This fallacy persisted until the seventeenth century in some parts but gradually the unimportant function of the king-post was realised and ultimately the part stretching from the tie-beam to the ground was discarded, so giving rise to the normal king-post truss carried on stout upright principals. This was the prevalent form of timber framework in the seventeenth century and excellent examples are still preserved in the larger Yorkshire barns such as East Riddlesden Hall, Shibden Hall and Gunthwaite Hall.

A second method of supporting the ridge-tree is by means of two or more pairs of inclined timbers set up in an inverted V form and crossing at the apex to provide a fork in which the ridge-tree can rest (Fig. 1f). Innocent concludes that the idea was obtained from the forked ends of the king-posts and that its introduction was intended to provide increased strength (op.cit., p. 23). He further asserts that the method of carrying the ridge-tree by pairs of curved supports is "apparently British in its inception" (op.cit., p. 56) and that "the fourteenth century, a period of cultural expansion, was the time of transition in the North of England from the method of supporting the ridge-tree by a single post to that of propping it by a pair of forks or crucks" (op. cit., p. 61). Batsford and Fry (*The English Cottage*, 1938, pp. 13-14), apparently basing their work on the evidence of Innocent, state that "probably towards the close of the fourteenth century, a new type of construction came gradually into use, which, cumbrous and obsolete as it seems to-day, represents unquestionably the first stage in the development of a national style of timber framework building." This is founded on statements by Innocent that the earliest known use of the word "cruck" occurs in a deed of 1432 (op. cit., p. 59) and on a translation of the word "gavelfork" as an upright post with a forked top (op. cit., p. 60). The Iron Age dwelling houses in Jutland, described by Gudmund Hatt, had no row of central posts and the roofs were supported by pairs of posts arranged along each side (op. cit., pp. 167-171). H. Zangenberg has suggested that these carried a ridge-tree ("Gammel Byggeskik", in *Skiveaarbogen*, 1930, xxii, pp. 5-17). Innocent himself describes and illustrates a farm store at Huttegen, near Audenarde in Belgium, having typical curved cruck supports for the ridge-tree (op. cit., pp. 24-5), and a masons' shelter of exactly the same construction is depicted in a carving on a house at Middleburg, Holland, bearing the date 1519. (Jones, Sydney R.: *Old Houses in Holland*, p. 116). The fact that it had been relegated to such humble service by the beginning of the sixteenth century indicates that it was an old type in Holland.

Erixon states that while evidence is wanting outside the British Isles of supports of exact cruck form, "certain indications are to be found that it had at one time a considerable distribution in West Europe. Thus in Northern Spain . . . I have met with arched sloping struts to vertical roof supports and in France as in

Belgium, Holland and north-west Germany are to be found half-timbered gable-ends with inclined, often arched struts and inclined supports occurring there at one time in the far past." He also advances evidence of the existence of a similar construction from prehistoric times in Denmark and Gotland, and even from the Stone Age in Sweden and West Germany (Erixon, Sigurd: op. cit., pp. 141-2). From this evidence we may conclude with Peate that "cruck technique, in variations probably affected environmentally, is a feature of building construction throughout north-western Europe" (Peate, Iorwerth C.: *The Welsh House*, 2nd Edn., 1944, p. 166) and was a development parallel with that of the king-post support.

It is with this type of timber framework, as it is displayed in Yorkshire, that we are here concerned. The most comprehensive accounts of cruck building are those of Addy (Addy, S. O.: *The Evolution of the English House*, 1910) and Innocent (Innocent, C. F.: *The Development of English Building Construction*, 1916) both of whom relied mainly on examples chosen from South Yorkshire. To the full and thorough observations of these two pioneers all subsequent workers must remain indebted. In its primitive form, with pairs of straight tong-shaped supports for the ridge-tree, this structure survived until recently in the huts of the southern England charcoal burners and in the unique building known as "Teapot Hall" at Scrivelsby, near Horncastle, in Lincolnshire. The latter building, unfortunately destroyed by fire in 1944 after it had been allowed to fall into decay and a fund had been inaugurated for its repair, had a ridge-pole supported by pairs of straight struts stretching from the ground to the ridge-pole. Roof and walls were all of the same steep pitch.

In Yorkshire a number of cottages at Mappleton, on the east coast (sketched by John Summerson and figured in his revised edition of Addy's *Evolution of the English House*, p. 64), had pairs of straight sloping timbers joined at the apex by short collar beams on which the ridge-tree rested (Fig. 2a). The sole purpose of these supports was apparently to carry the ridge-tree; the walls and roof were entirely independent of them. This is true of many of the stone buildings whose ridge-trees are supported by pairs of crucks standing freely within the building. In some cases these are merely stone shells replacing an earlier timber framework but in many instances the buildings were originally constructed of stone and yet the ridge-tree is carried by pairs of crucks. The Lapp *kåtor*, described by Erixon (op. cit., p. 138), is also built up around a ridge-beam support "which stands inside the house quite independent of the outer walls . . . the walls rest on two horse-shoe shaped supports, made up of two tong supports of birch, *utneras*. They are holed at the point of meeting through which runs a pole, *aulerke*, corresponding to a ridge-beam. The two tong supports are joined also by a number of additional cross-pieces."



# TYPES of CRUCK- CONSTRUCTION

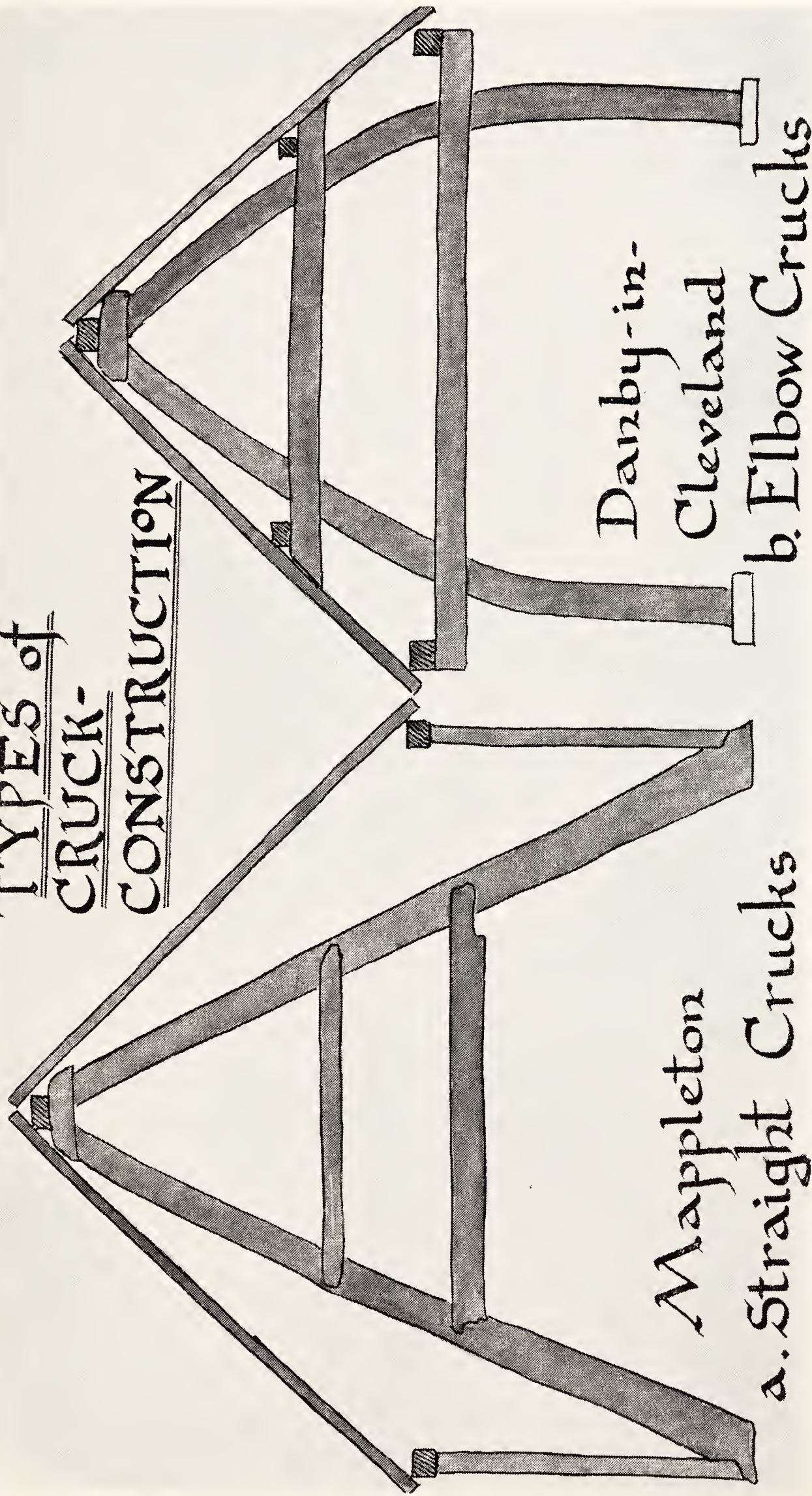


FIG. 2





More commonly the ridge is supported by pairs of curved principals, each pair having been sawn from the same tree trunk. These are known as "crucks" in West Yorkshire and Westmorland but in Cumberland and Scotland they are referred to as "siles," "sile-blades" and "sile-trees" whilst in Durham and North Yorkshire they are "forks." The derivation and significance of these terms have been fully discussed by Innocent (op. cit., pp. 36-8 and 59-61) and Peate (op. cit., pp. 114-7) but considerable confusion has arisen over the definition of the term "fork" which appears to have been used indiscriminately for an upright ridge support forked at the top and also for a cruck. Innocent states that "both the upright straight posts and the slanting, curved crooks were 'forks' to the mediaeval writers." Lady Aileen Fox ("Early Welsh Homesteads on Gelliger Common, Glamorgan. Excavations in 1938." in *Arch. Camb.*, 1939, pp. 177-8) contends that the Welsh *fforch*, which is cognate with the English "fork," denotes a pronged upright post. The evidence on which this is based is a stipulation in the Demetian Code that "if timber be cut in a person's wood without his permission, other than the three timbers which are free for a builder on field-land" then certain fees are to be paid, and a triad which runs, "three timbers which each builder upon field-land should have from the owner of the wood, whether the woodman will it or not, a ridge-piece and two roof-forks" (Peate: op. cit., pp. 117-8). From this Lady Fox deduces that "a 'fork' is a single strut, not two tied together." While Peate agrees with this statement he does not agree that the 'fork' is a pronged post (op. cit., footnote p. 118) and he suggests that these three free timbers of the Welsh Laws probably refer to a framework consisting only of one pair of crucks, set near the centre of the building, and a ridge-piece whose centre rests in the cruck-fork and its ends on the stone gables (op. cit., pp. 162-3). Hughes and North have given several examples of this type of framework from North Wales (Hughes, H. Harold and North, H. L.: *The Old Cottages of Snowdonia*, 1908, pp. 5-6) whilst Campbell has pointed out that houses consisting of a pair of crucks and a ridge-tree are of great antiquity and extend over a large area (Campbell, Åke: "Notes on the Irish House," in *Folkliv*, 1937, p. 213). A tiny cottage at Club Nook, Drebley, in Wharfedale, has such a framework. It is impossible to decide from existing evidence which interpretation is correct and it is probable, as Innocent says, that the word 'fork' was used for both.

Even more doubtful is the meaning of the word 'gavelfork.' Addy (op. cit., p. 58) quotes a lease of the year 1392 as follows, "All the buildings of the said messuage—namely, a house, called the fire house, containing five couples of siles and two gavelforks; a storehouse for grain, containing three couples of siles and two gavelforks; and another storehouse for grain, containing one couple of siles and two gavelforks." Innocent deduces from this and other documents where siles and gavelforks are mentioned that there are always only two gavelforks whatever the number of

siles. He defines 'gavel,' therefore, as a gable end and concludes that the gavelforks were upright posts with a forked top set in the gable wall (op. cit., p. 60). Whilst houses whose ridge-poles are supported by alternating upright forked poles and pairs of inclined posts are known from Jutland I am not aware of a single surviving example in Britain and Innocent's definition of the word 'gavelfork' is open to some doubt. Peate considers the Welsh *gafael* as the equivalent of a pair of crucks (op. cit., p. 116) but the whole problem is still confused.

The restricted space enclosed by the simple cruck framework resulted in one of two subsequent modifications to allow the construction of vertical side walls. In the first method, which Innocent considers the older of the two, an oak tree was selected which was bent in such a manner that when set up part would be vertical and parallel to the wall whilst the upper part sloped almost at the pitch of the roof. Alternatively a tree was found with a great branch projecting at the angle of the roof. If either of these trees was sawn down the middle it would provide a pair of angular elbow crucks, the free ends of which would cross to form a fork in which the ridge-tree would rest. This modification was at one time common throughout Wales and Peate has illustrated and noted examples from several counties (op. cit., p. 161). It is the framework suggested by Zangenberg for the Jutland Iron Age houses. In Yorkshire such angular crucks are comparatively rare but examples have been described by the Rev. J. C. Atkinson from Danby-in-Cleveland (Fig. 2b) all of which approximate to this type. "At about 4 feet from the surface on which they stand is a curve, such as may be seen in the timber designed to be the stem of a boat, and such also as to allow of a much steeper slope upwards from the ground than would have been possible if the whole had been in one and the same straight line. From this point of curvature, however, the rafters are straight all the way to the ridge piece, and with the old tie-beam would form an almost equilateral triangle. The deflection thus noticed would allow for more available space within than if the rafters had reached the ground in a straight line unbroken from the ridge." (Atkinson, J. C.: *Forty Years in a Moorland Parish*, 1907, p. 25).

In Yorkshire the more usual cruck modification to allow the erection of side walls resulted in an extremely complex structure. As an example of this framework I have selected the barn at Linthwaite Old Hall, near Huddersfield, for, within its present stone casing, it retains the original timber structure complete apart from some of the stoothing (Fig. 7). The individual crucks measure 1 ft. 10 ins., in a direction at right angles to the side walls, by 11 inches in cross-section and the feet are set apart at a distance of 22 ft. 7 ins. In a cruck building at Little Thorpe, near Almondbury, the distance is 23 feet, in two barns at Drebley, Wharfedale, it is 19 feet and it is the same in a barn at Barden Scale nearby. The feet rest on stylobats, each consisting of three massive undressed blocks of stone to protect them from decay.



Innocent suggests that the earliest examples rested directly on the ground and he adds that in the Sheffield district many of the stones on which the crucks stand have been inserted later when their feet had rotted (op. cit., p. 65). In the Danby examples, described by Atkinson (op. cit., pp. 23 et seq.), the crucks rested directly on the natural ground or on a large flat stone whilst in the Jutland Iron Age houses the charred bases of the posts have been discovered standing in their post-holes (Hatt, Gudmund: op. cit., p. 169). That the practice of employing stone supports is ancient is proved by the balance sheet of John Dytton, "vicar of the Parish Church of Kyrkby Malingdall," for the year 1454 wherein he includes a payment of 4d. "for drink given to the carpenters and for basyng the said houses, that is to say, for laying great stones under the foot of the Crokk." (Morkill, J. W.; *The Parish of Kirkby Malhamdale*, 1933, p. 239). In the barn at Barden Scale the cruck feet rest on low walls whilst Innocent states that in the Sheffield district they occasionally stand on pads of wood (op. cit., p. 40). The expedient of raising the cruck on stone supports not only preserved the cruck feet but it also conserved timber and in a building at Kimberworth Hill Top, near Rotherham, they are raised well above the ground. In the cottage and adjoining barn at Club Nook, Drebley, the crucks spring from a point near the top of the side walls and so approximate to a collar beam truss of the type described by Innocent from a building at Cae Crwn, Glanmorfa, near Portmadoc (op. cit., p. 66).

In the earliest examples the two crucks were connected by a halving joint at the top, the projecting ends forming a fork in which the ridge-pole rested (Fig. 3), as at Cruck House Farm, Oxenhope, and Little Attercliffe, Sheffield. At a point corresponding to the height of the side walls a tie-beam, which was halved to the two crucks, bound them together and projected at each side level with the cruck feet. Innocent has pointed out that the height of the tie-beam was determined by that of the side wall. As the pitch of the South Yorkshire roof was about 45 degrees it was necessary to fix the cruck at a steeper or flatter rake according to the desire for higher or lower side walls (op. cit., p. 41). The pitch of the roof was also a determining factor and in the examples from Barden and Drebley where the pitch of the ling thatched roof is about 60 degrees the cruck feet are set only 18 feet or 19 feet apart whereas in the barns at Little Thorpe and Linthwaite, where the roof is much flatter, the feet are set 23 feet apart. These three factors of wall height, roof pitch and cruck span are all inter-related and there is little doubt that the ultimate values chosen for any district and any set of requirements were the result of considerable experiment on the part of the builders.

The ends of the tie-beam carried the wall-plates, secured by saddle-joints, and these were further supported by upright posts the feet of which rested on cut-away supports near the feet of the crucks (Fig. 4). At almost equal distances between the ridge-tree and the wall-plate the crucks carried the purlins which

were secured to the backs of the crucks by means of saddle-joints and further supported by a pair of curved wind braces, springing from a dovetailed rebate at the back of the cruck some distance below the purlin. In the barn at Little Thorpe in some cases the wind braces spring from a point above the purlin whilst in that of Linthwaite Hall the upper purlin is secured by wind braces from both above and below, a feature noticed by Innocent at Bell Hagg, near Sheffield (op. cit., p. 41). In South Yorkshire there is usually only one purlin on each side of the roof but in the examples from Wharfedale and the Colne Valley there are invariably two.

Innocent has outlined the subsequent stages of development assuming a progressive economy in timber as the fundamental cause for these modifications (op. cit., pp. 50-1). It was apparently found at an early stage that the tie-beam itself was not sufficient to hold the two crucks firmly together and a collar-beam was introduced at a point almost mid-way between the tie-beam and the ridge-tree. The next development was the replacement of the fork formed by halving the crucks by a support in which the crucks just met at the apex, so providing an angle to accommodate the ridge-tree. This did conserve timber to a slight extent but it was weaker structurally and resulted in the collar-beam being moved up nearer and nearer to the ridge-tree, as in the barns at Drebley and Linthwaite (Fig. 4). Throughout this period a pair of crucks very often consisted of two separate trees which were not, therefore, identical in shape but were roughly square in cross-section. The crucks at Drebley measure 12 ins. by 12 ins. In the next stage a second collar-beam was added between the tie-beam and the first and each pair of crucks was almost invariably sawn from the same tree, as in Linthwaite Hall barn.

According to Innocent the ultimate form is represented by the Danby-in-Cleveland type where the tops of the crucks are sawn off level, the collar-beam is mortised on them and the ridge-tree is fixed flatly on top of the collar-beam (Fig. 5). This form of support appears, however, to be a regional variation rather than an evolutionary stage. It is predominant in the East and North Ridings; both the Mappleton and Danby examples are of this nature. The same is true of the Fimber houses which the Rev. E. M. Cole described as follows, "Two strong curved oak 'forks' were reared from the ground the width of the intended house, nearly meeting at the top, where they were fastened together with short cross pieces of oak, firmly bolted with oak pins. On the top, in a slight hollow, was laid the 'roof rig,' bolted with oak pins to the cross pieces." ("Ancient Houses at Fimber," in *Old Yorkshire*, New Series, Vol. ii, 1890, p. 64).

The suggestion that the Danby type is characteristic of the East and North Ridings is amply confirmed by Mr. N. A. Hudleston, who has devoted much time to the study of folk architecture in these areas. He informs me that this form is general throughout



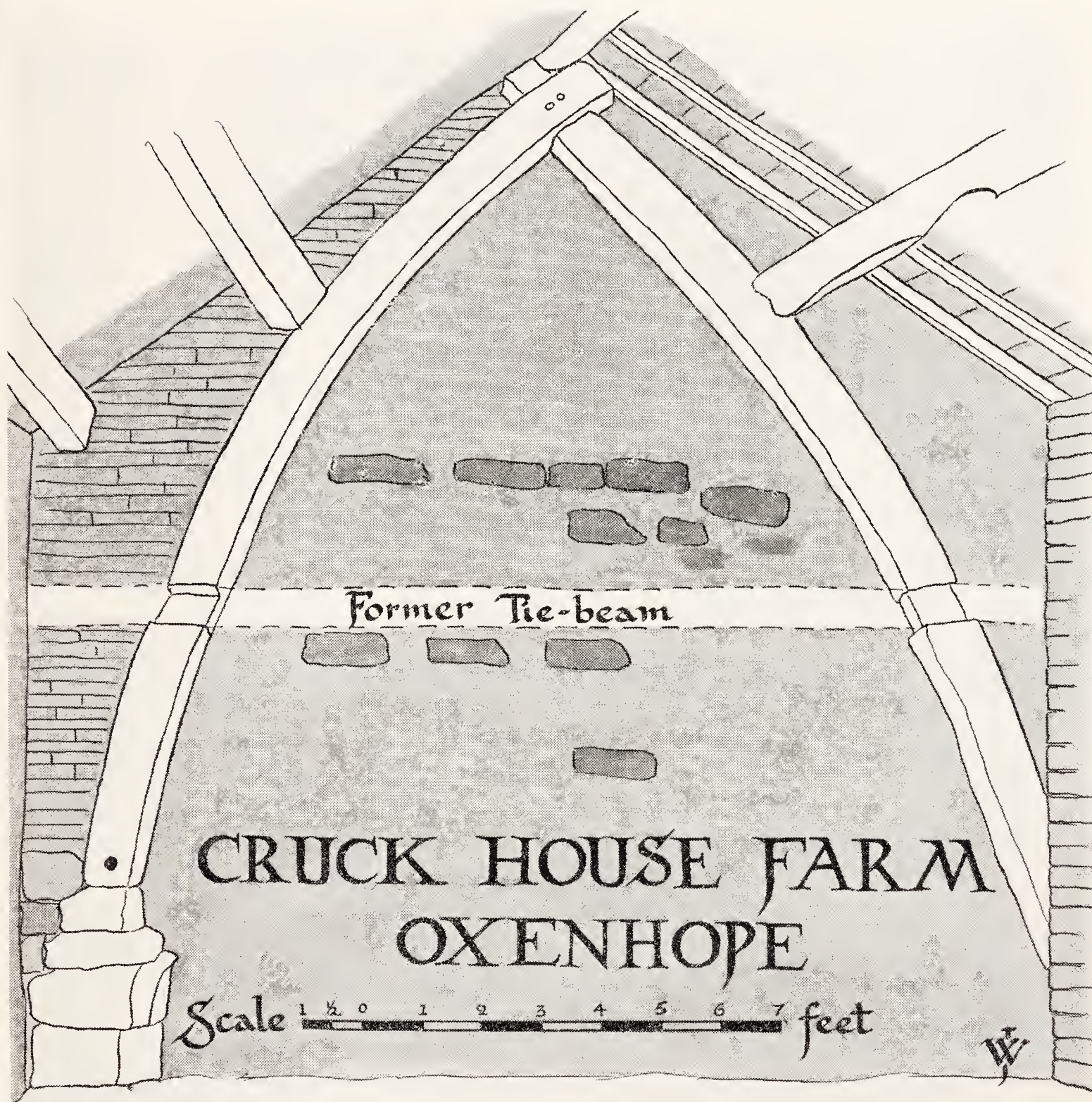


FIG. 3



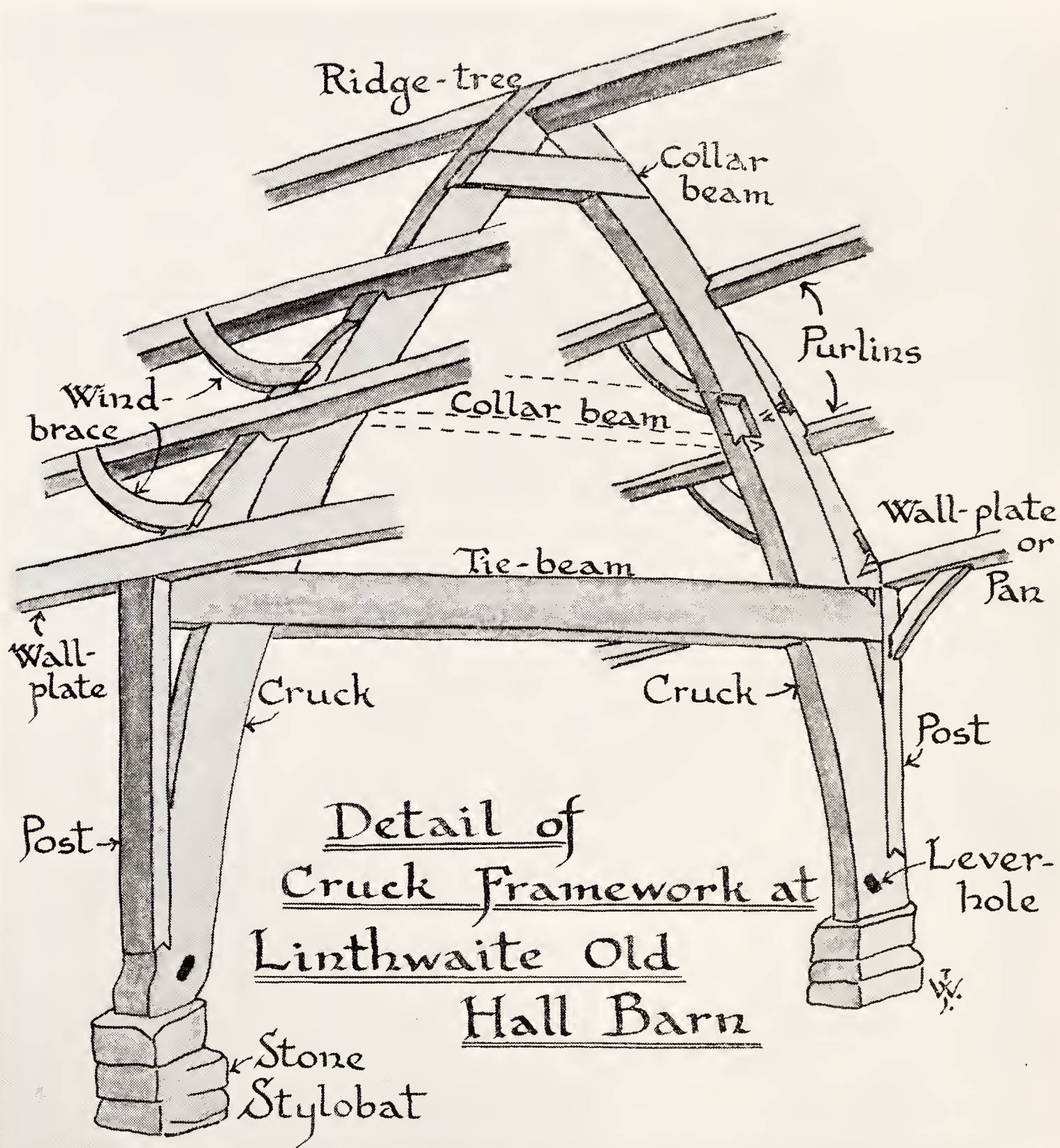


FIG. 4



the Yorkshire Moors, the York Wolds and the Vale of Pickering (letter of 21 Jan. 1947). I am also indebted to him for the dialect names applied to the various members of the cruck framework in these districts, where the crucks are called "forks" and the tie-beam is known as the "bottom stressil" or "bottom tie-baulk." The collar-beam is referred to as the "top stressil" or "top tie-baulk" and the beam which connects the two forks together at the top and carries the "rig-tree" or "rigging-tree" is called the "saddle-tree" or "yoke-tree." The wall-plates are known by the general name of "pans" but the purlins are given a variety of names including "side-wingers," "side-wavers," "side-wivers" or "ribs" (Fig. 5).

Henry Best, in his "Other Shorte Remembrances for Thatching," uses the terms "forkes," "side-wivers" and "rigge-tree," indicating that they were in common use in the Driffield district in 1641. "If the forkes bee fifteene or sixteene foote high," he writes, "then they (the thatchers) will sewe in three severall places; if nineteene or twenty foote high, then they will sowe downe their thatch in fower places, viz.; first close to the very wall plates, then two foote below the side wivers, then two foote above the side wivers, and then, lastly, aboute a yard or more belowe the rigge-tree." (*Rural Economy in Yorkshire in 1641*, Surtees Society, 1857, p. 148).

Assuming that these factors do express the evolution of the cruck framework, and there is no reason to suppose otherwise, then the barn at Linthwaite Hall represents the culminating example of cruck construction in Yorkshire. Each pair of crucks was apparently sawn from the same tree with the result that they measure 1 ft. 10 ins. by 11 ins. in cross-section, the narrow side being parallel to the side walls. They are provided with a tie-beam, a short collar-beam close to the ridge-tree and a second collar-beam between the two and they carry two purlins on each side (Fig. 4). A very unusual treatment is employed for the support of the wall-plates, a treatment which I have only seen here and in the barn at Little Thorpe, both of which are almost identical structures and apparently belong to the same period. The ends of the tie-beams are mortised into the tops of the upright posts which are firmly secured by V-shaped notches at their feet resting on ridge shaped bases cut out of the backs of the crucks a foot or two above the stylobats. The wall-plates are then carried on the tops of these upright posts which are the main studs of the side walls (Fig. 6).

This system of supporting the wall-plates resulted in a relative highering of the walls and in the rafters having a much flatter pitch than the crucks themselves. Consequently the purlins could no longer be carried by the crucks. To overcome this the carpenter pegged to the back of each cruck a piece of timber which tapered from the tie-beam to a point mid-way between the tie-beam and the ridge-tree (Fig. 4). Into these the lower purlins and the wind braces were fixed. The same expedient was

employed at Little Thorpe and Innocent has described a similar device from a farm building at Bradway, Norton, North Derbyshire (op. cit., p. 68).

It is convenient here to tabulate the main types of cruck framework recorded in Yorkshire :

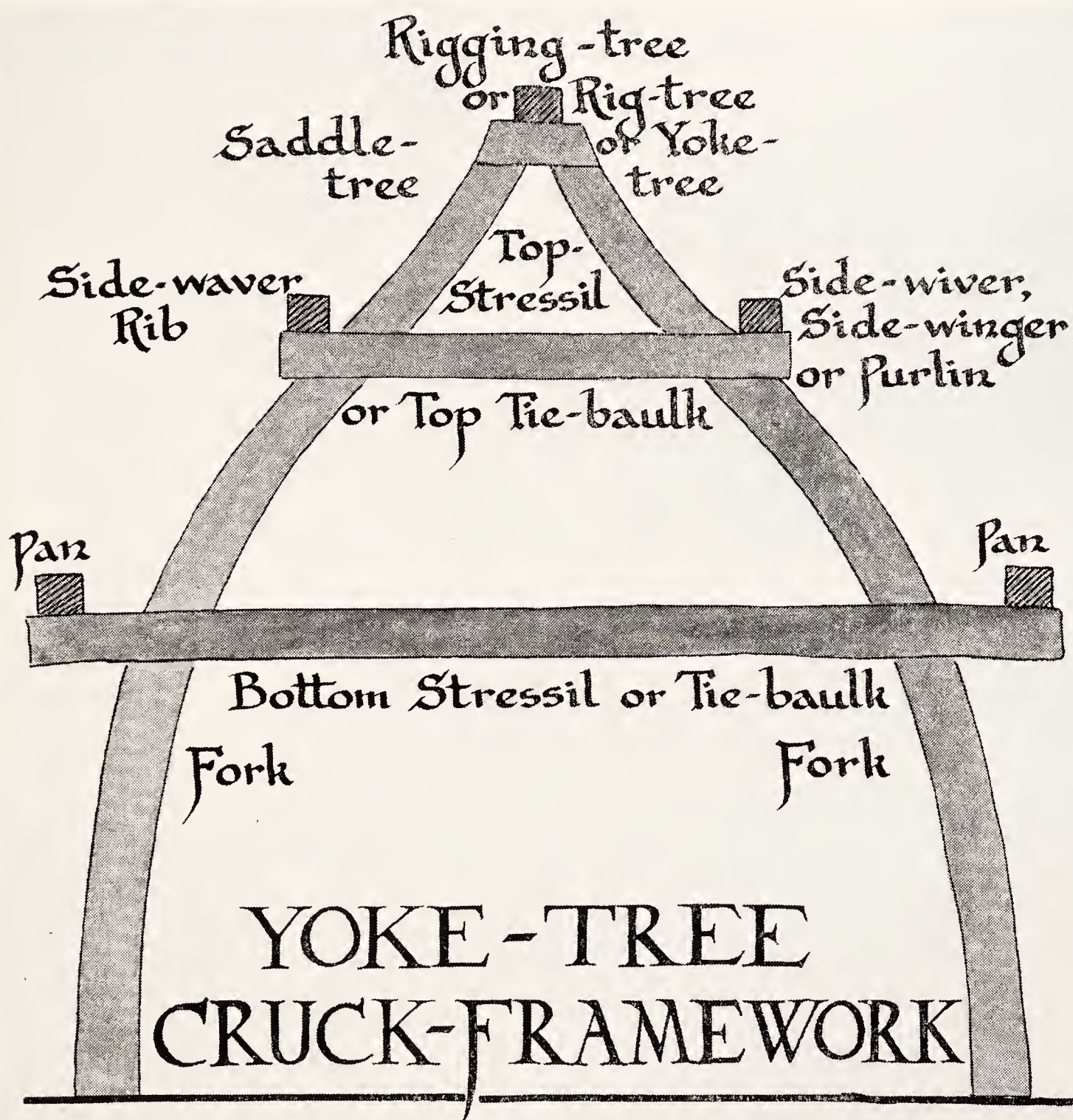
1. Pairs of straight sloping supports (the tong supports of Erixon), e.g., Mappleton (Fig. 2a).
2. Pairs of elbow crucks, e.g., Danby-in-Cleveland (Fig. 2b).
3. Pairs of curved crucks :
  - (a) Crossing at the apex :
    - (i) Without collar beam, e.g., Cruck House Farm, Oxenhope (Fig. 3).
    - (ii) With collar beam mid-way between ridge and tie-beam, e.g., Upper Midhope.
  - (b) Meeting at the apex :
    - (i) With one collar beam high up near the ridge, e.g., Barden Scale Barn.
    - (ii) With two collar beams, e.g., Linthwaite Hall Barn (Fig. 4).
  - (c) Cut off and joined at the apex by a short cross piece on which rests the ridge-pole, e.g., Old Scarborough (Fig. 5).

The main evolutionary features are :

- (a) A progressive highering of the collar beam, ultimately giving rise to two collar beams.
- (b) A change from the crossing crucks united by a halving joint to crucks meeting at the apex.
- (c) A change from crucks cut each from a separate tree (square in cross-section) to crucks cut in pairs from the same tree (rectangular in cross-section), although this may have been controlled by the local availability of timber.
- (d) A change from wall-plates carried on the free ends of the tie-beams to wall-plates carried on the tops of the main studs.

In the barn at Linthwaite Hall the framework of the timber walls remains in a fairly complete condition (Fig. 7). At a height of 7 ft. 8 ins. above the ground is a stout horizontal beam, the brestsumer, which measures 11 ins. by 8 ins. and is morticed into the posts behind the crucks. The wall-plate is supported by short struts springing from the posts and the space between the wall-plate and the brestsumer is divided into three roughly equal panels by a pair of stout uprights, 9 ins. by 4 ins. The panels were again divided by upright studs into three parts, measuring 18 ins. from the centre of one stud to the centre of the next. These studs, which have been removed, were morticed into the wall-plate and slotted into a groove on the top of the brestsumer. The studs were also grooved at the sides and the spaces between the studs were filled with laths which were sprung into the grooves





Based on details of a house at  
Old Scarborough supplied by N.A. Hudleston

FIG. 5



# Details of Studding at Linthwaite Old Hall Barn

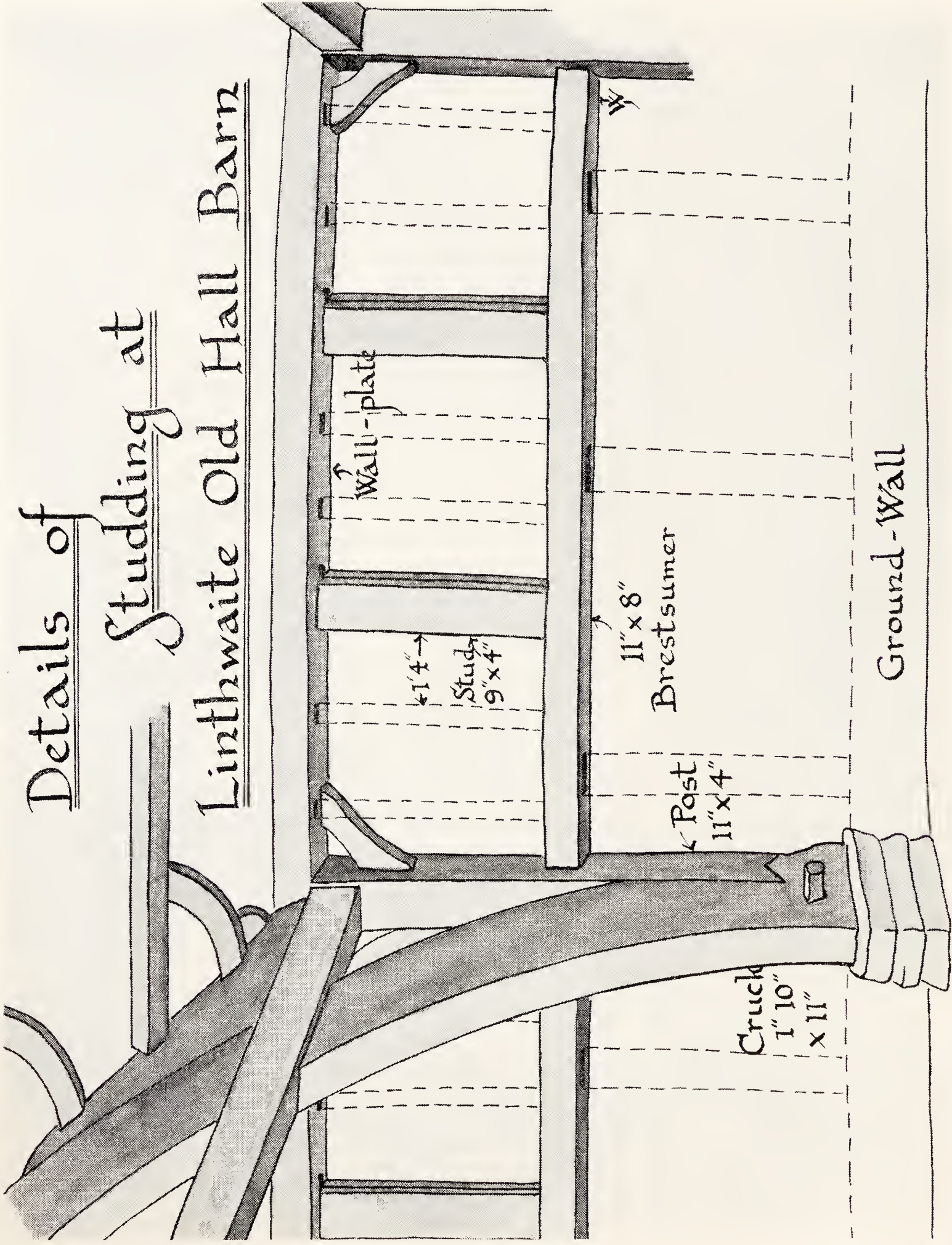


FIG. 6



and then plastered over. The mortice holes of these early frameworks were bored at each end with an auger and the wood between was chopped away with a twivil (Innocent, C. F.: *op. cit.*, p. 99). This is very evident at Linthwaite (Fig. 8a).

The space between the brestsumer and the ground was similarly divided into a number of panels by means of upright posts, the bottoms of which were probably morticed into a wooden cill resting on a low stone wall. Such low rubble walls are a feature of almost all the early timbered buildings and at Linthwaite the north gable wall is a sturdy stepped buttress of dressed stone (Fig. 7). Innocent describes a barn on crucks at Hall Broom which has a foundation wall of large rough stones (*op. cit.*, p. 118). The seventeenth century witnessed a spate of building activity resulting from a widespread increase in prosperity. Timbered houses were replaced by stone, the old timbers often being used in the construction of the new barns whilst others were cased in stone, as at Linthwaite and Little Thorpe. In such cases the timber framework remains inside the stone shell to which it bears little or no relation. It cannot always be assumed, however, that a building erected on free crucks originally had timbered walls. Many cruck buildings show no evidence of having had timber walls and it seems probable that the use of crucks to support the ridge-pole was retained long after stone walls were introduced, as in the examples from Barden and Drebley.

A foot or so above the base the crucks at Linthwaite and elsewhere are pierced by rectangular holes with slightly rounded ends, measuring 5 ins. by  $2\frac{1}{4}$  ins. (Figs. 3 and 4). These are not all at the same height and could not, therefore, have carried any horizontal beam or cill. As the timber frameworks were constructed on the ground Innocent has suggested that these holes were used either for passing ropes through to keep the feet of the crucks together whilst they were being hoisted or for the insertion of wooden levers for raising the cruck feet on to the stylobats. Some of the holes at Linthwaite still retain parts of these levers wedged in position (Fig. 6).

Each pair of crucks with their tie-beam is marked with a figure to indicate its position, the marks being on the same side as the tie-beam. These marks usually consist of one or more parallel cuts on the surface of the tie-beam near the halving and also on the cruck slightly above or below the tie-beam. On the first pair of crucks and their tie-beam there is a single cut; on the second pair two cuts and so on. The fifth pair at Linthwaite is indicated by a V but, for some reason or other, crucks four and five have been interchanged. Vs in a variety of forms are employed on this pair to indicate the tie-beam and wind brace joints (Fig. 8b). Some of the crucks are also marked with a cross pattern, possibly to indicate the face to be halved to the tie-beam (Fig. 8b).

The crucks were constructed on the ground, carried to the site and 'reared' into position according to the numbers and

marks inscribed upon them. The neighbours were called in to help in the rearing of the timbers and at the conclusion of the task they were feasted. Addy quotes an instance of a Sheffield householder who, in 1575, paid £2. 6s. 8d. "for meat and drink that day the house was reared" (op. cit., p. 107). Vicar Dytton also paid 8d. "for expenses on services rendered at the erection of the said house in Ayrton" (Morkill, J. W.: op. cit., p. 239).

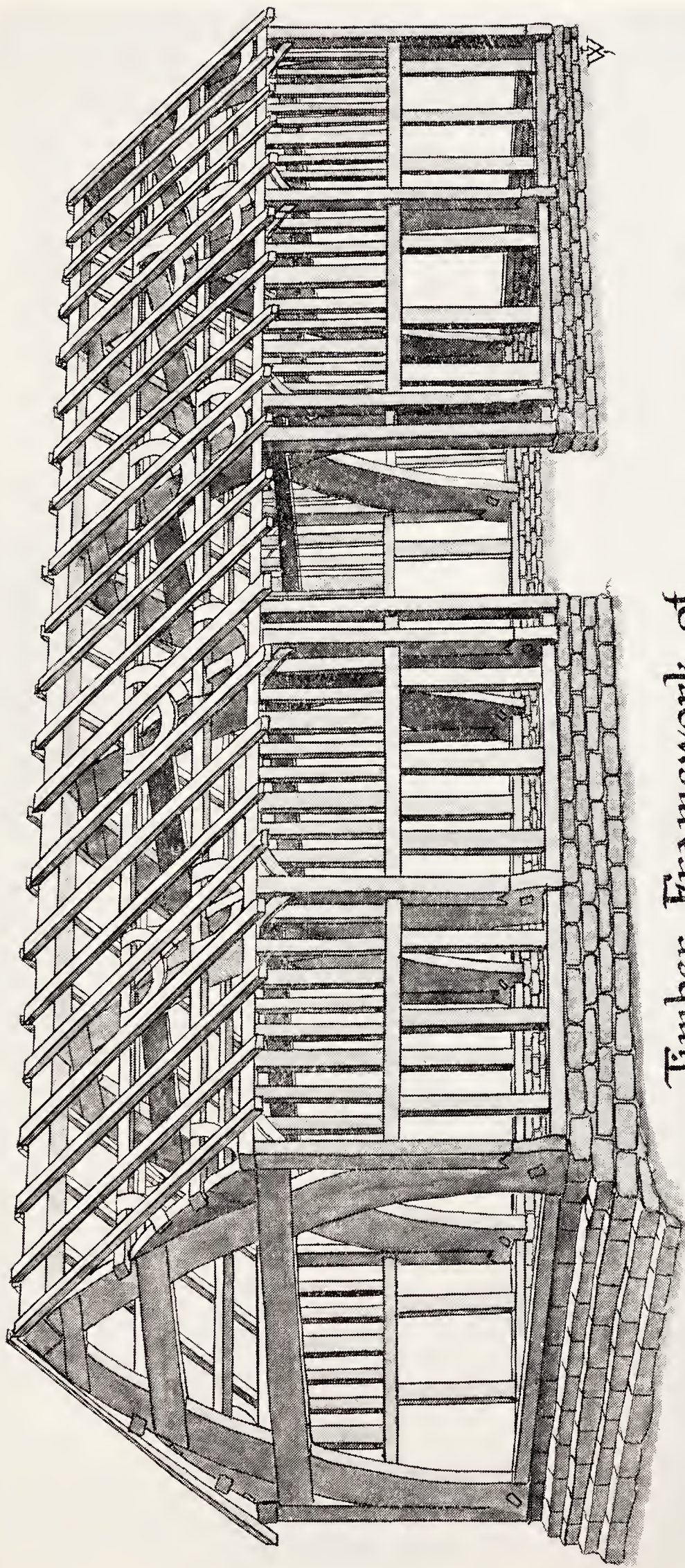
Of particular interest are the crucks which occupy the gable ends for in some cases their treatment differs from the normal. In the north gable at Linthwaite Hall barn and in the western gable at Little Thorpe the tops of the crucks have been sawn off just above the lower collar beam and do not carry the ridge-tree. This is supported at some little distance from the end by a pair of stout rafters springing from the lower purlins and secured near the ridge-tree by a short collar beam. At Little Thorpe the rafters supporting the ridge-tree are carried down to the wall-plates. Innocent describes another similar instance from a barn at Falthwaite in South Yorkshire where the sawn-off ends of the crucks are connected by a cross-beam which carries a short post, inclined inwards to support the ridge-tree which does not reach the gable (op. cit., p. 57). All these are apparently later improvisations introduced to replace crucks which had perished through long exposure to the weather, although Innocent suggests that the Falthwaite example may have been original and intended for a thatched and hipped end.

The space between each pair of crucks and the next is known as a "bay." At Linthwaite Hall barn this distance varies from 15 ft. 5 ins. to 15 ft. 10 ins., at Little Thorpe it is 15 ft. 6 ins., at Oldfield, near Honley, it is 18 ft., at Drebley it is 16 ft. and at Dike Side, Midhope, it was 16 ft. The usual length of the bay was 16 feet and Addy has demonstrated that this was the space required to house two pairs of oxen in the stalls. In support of this he quotes the Roman Palladius who stated that "8 ft. are more than sufficient standing room for each pair of oxen, and 15 ft. for the breadth (of the ox-house)" (op. cit., Revised Edition, p. 86).

Actual details of the construction of cruck framed buildings are rare but the *Compotus* of Vicar Dytton (Morkill, J. W., op. cit., pp. 238-9) provides us with a full account of the nature of the materials used and of their cost. These constitute such an excellent source of information on fifteenth century building that I quote them in full :

"Also for repairs to the dwelling house lately John Hynne's 7/11, towards which repairs John paid 3/4 and thus it is clearly 4/7. Also for boards for making the doors of the said house, and the houses of Thom. Paxton and Ric. Arnald 22d. Also for repairs to the barn of Will. Myller and the house of Will. Uttyng, 40d. Also for making a Sled for carrying stones 2d. Also for repairs to the dwelling house of Thom. Rakys in Ayrton and the barn of Thom. Paxton in Kyrkby done at the same time :—First for





Timber Framework of  
**LINTHWAITE HALL BARN**



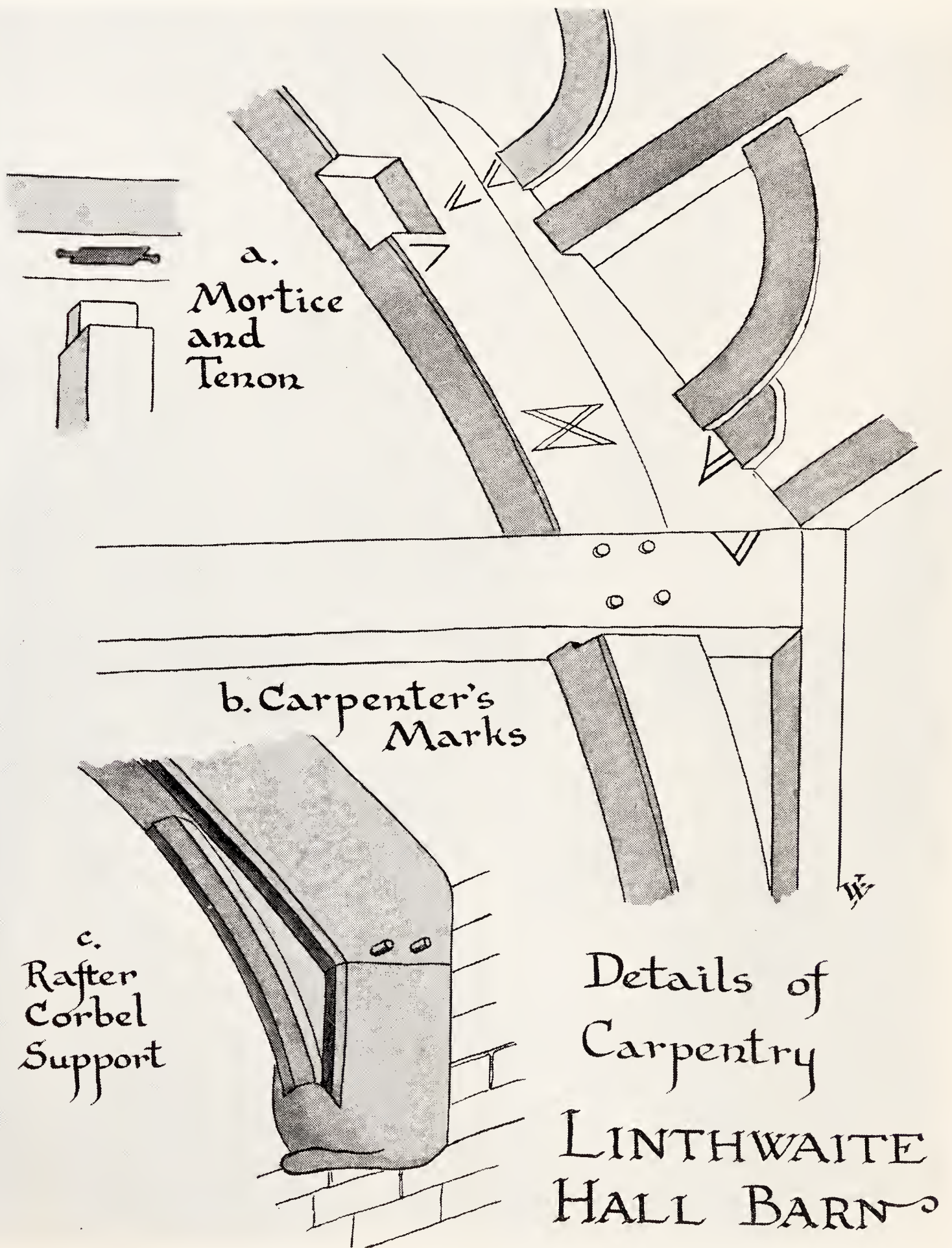


FIG. 8



Wrytnot (Wright's work), namely, for 22 days one man carpentering up to the first Sunday in Lent counting it at 4d. a day, also from the first Sunday in Lent: total 7/4. And further for 50½ days for one man carpentering counting it at 5d. a day, total 21/0½. Also for Will. Elryngton and John Cook for the oversight of the same carpenters 6/8. Also paid for watlyng brought for the said houses and for another building, viz., the barn of the said Raks:—First to the Abbot of Sallay for 4 loads bought 20d., and for carrying and felling 2 loads of the same 2/4. Also for 4 loads bought from Milrakys Clyf 28d., and for filling and beryng owt 2/-. Also for carrying same 3/-. Also paid for thakke bought of T. Rakys, and watlyng and thakkyng 2 houses entirely, viz., his said dwelling house in Ayrton and the barn of the same house 18/4. Also for thakke bought and carriage to the barn of Th. Paxton in Kyrkby 8/-. Also for rydding old houses in Ayrton 12d. Also for delving and carrying to the said house 6d. Also for wallyng the said house 4/6. Also for sawing timber for the said house 4/5. Also for carriage of timber from Kyrkby to Ayrton for the said house 20d. Also for expenses on services rendered at the erection of the said house in Ayrton 8d. Also at the erection of the house of T. Paxton 4d. Also for drink given to the carpenters and for basyng the said houses, that is to say, for laying great stones under the foot of the Crokk 4d."

The small cost of "wallyng" in relation to the other materials indicates that the stone was only employed for the ground-walls. The remainder of the house was of timber, the panels between the studs being filled with wattle. There is no indication of the character of the thatch but it was most probably of ling or turf laid upon a framework of "wattlyng." The use of wattle as a support for heather thatch is supported by an item in the Diary of T. Wittingham, dated 1672, which states that "Wheatley of Saiston is to thacke (with heather or ling) Leonord's barn and compleate for 26s.: it is 18 yards long. He hath 12d. for earnest and I to be at no loss either with watling, ridging or serving for ling" (Innocent, C. F.: *op. cit.*, p. 213).

Turf and ling were used as thatching materials from the Iron Age in Jutland where Gudmund Hatt has found fragments of roof "consisted of a layer of natural rafters, upon which was a covering of straw, or in some cases a layer of very thin rods, and this again supported a layer of heather-turf. The slope of the roof was probably not steep or the heather-turf would have slipped off" (Hatt, Gudmund; *op. cit.*, p. 170). This roof from Jutland is almost identical with those surviving on the cruck-framed barn at Barden Scale and on Bombey Barn, near Drebley, where the heather thatch is carried on roughly trimmed rafters set about 6 inches apart. Thatching was begun at the eaves where a layer of ling was laid, stalk uppermost. Two or three more layers were then laid when the whole was 'weighted' with large stones and allowed to settle for some days. Succeeding courses were pegged to the ones below and so the work proceeded until the ridge was reached. The

ridge itself was covered with long slabs of turf, a foot to eighteen inches in width, laid across the ridge and pegged down on each side. In the north turf used for this purpose was known as 'dovet' (Innocent, C. F.: op. cit., p. 213, and Addy, S. O.: op. cit. Revised edition, p. 136) although a more general term in Yorkshire is 'flights' (Crump, W. B.: "Two Dialect Names and their Use," in *The Halifax Naturalist*, vol. viii, 1903, pp. 33-5). In these two examples the roof pitch is about 60 degrees and Addy has pointed out that some contrivance would be necessary to prevent such roofs from slipping down. Among the Norsemen a thin plank, which ran along the eaves and was known as a *torf-völur*, was employed (Addy, S. O.: op. cit., p. 137). At Barden Scale a layer of thakstones, laid flat on top of the side wall and projecting for about 6 inches, serves the same purpose. A roof covering similar to that prevalent in the Pennines was formerly common on cruck-framed buildings in north-east Scotland under the name of "pan and kaiber." "Across the couples (crucks) were fixed the pans, to the number of three or four on each side of the roof. On these, and parallel to the couples, were laid the kaibers, pieces of trees split with an axe, or of bog fir. Such a roof was called pan and kaiber." (Gregor: *Folk-Lore*, 1881, p. 50).

The size of a timbered house could easily be increased by the addition of bays at the end, still keeping the rectangular form, but in many buildings, especially barns which also housed the cattle under the same roof, additions were made in the form of "out-shuts" along the sides. This was often done quite simply by building an outer wall parallel to the existing side wall and then extending the rafters to reach the new wall-plate. At Linthwaite Hall an extension of this nature was made along two bays to house the cattle. The rafter feet are there supported on wooden corbels after the style of a hammer beam (Fig. 8c). It seems probable that this addition was made in the seventeenth century when the timber walls were replaced by stone. In some instances the outshut framework was a complicated structure necessitated no doubt by the extensive roof span so created. An example from the Green, near Stocksbridge, figured by Addy (op. cit., Revised edition, p. 94), shows an extremely complex structure.

### DISTRIBUTION OF CRUCK-FRAMED BUILDINGS IN YORKSHIRE (Fig. 9).

In compiling a list to show the distribution of cruck-framed buildings in Yorkshire only examples visited, photographed or accurately described may be definitely included. Even a written statement to the effect that any particular house was built on crucks is open to doubt unless it is supported by a description, as some writers have used the term 'cruck' to describe the sturdy upright principals carrying king-post trusses. Thomas Ford in his excellent paper on the seventeenth century domestic dwellings in the Halifax Parish, adopts this nomenclature. The following



# DISTRIBUTION of CRUCK-FRAMED BUILDINGS in YORKSHIRE



- Existing Buildings
- Demolished Buildings
- ▨ Region of Yoke-tree Framework
- ▨ Land above 1000 ft.

FIG. 9





list includes only buildings which have been visited by the writer or authentically described.

#### WHARFEDALE.

1. A barn at Drebley. Formerly thatched with heather, now roofed with corrugated iron. Stone walls. Cruck span 19 ft. Length of bay 16 ft.

2. The Corn Barn, Drebley. Details as for 1.

3. Bombey Barn, Drebley. Thatched with ling and turf. Stone walls. Cruck span 14 ft. Length of bay 13 ft. 6 ins.

#### *Reference.*

Pontefract, E. and Hartley, M.: *Wharfedale*, p. 198. Illustration, p. 207.

4. Barn and cottage at Club Nook, Drebley. Both formerly thatched, now roofed with corrugated iron.

5. Barden Scale barn. Roofed with ling and turf.

#### *References.*

Walton, James: "Turf Thatched Roofs," in *Country Life*, May 3rd, 1941. Photograph of exterior and sketch of interior.

Pontefract, E. and Hartley, M.: *op. cit.*, p. 199.

6. Cracoe. Whitaker writes of 'Crakehou' that it "principally belonged to Bolton Abbey, and was granted to the first Earl of Cumberland. From a survey made in the time of the first Earl, it appears that every house and barn stood upon crooks and was covered with thatch." (*History of Craven*, 3rd Ed., p. 528). Referred to by Innocent (*op. cit.*, pp. 33 and 66).

#### RIBBLESDALE.

7. Gisburn. Dr. A. Raistrick gives a section of the cruck framework of a barn "near Gisburn." (Raistrick, A.: "Dales Building of the Sixteenth and Seventeenth Centuries," in *The Yorkshire Dalesman*, vol. iii, 1942, p. 186).

8. Howgill Barn, Bolton-by-Bowland. Stone walled.

9. Barn at Bolton Peel, Bolton-by-Bowland. Stone walled. Formerly roofed with heather thatch, now corrugated iron. Mentioned by Dr. A. Raistrick (*op. cit.*, p. 186).

#### COLNE AND HOLME VALLEYS.

10. Blakestones, Slaithwaite. A single pair of crucks and ridge-pole are all that remain of a cruck-framed cottage which once stood here.

11. Barn at Little Thorpe, Almondbury. Formerly four cottages. Walls timbered, now filled with brick.

12. Barn at Linthwaite Old Hall. Walls formerly timbered, now cased with stone.

*Reference.*

Spencer, Noel: *A Scrapbook of Huddersfield*, 1945, p. 29.  
Sketch of interior.

13. Barn at Oldfield, near Honley.

*References.*

Walton, James: "Oldfield Barn," in *The Huddersfield Daily Examiner*, Feb. 21, 1946. Includes sketch of interior.

Walton, James: "S.W. Yorkshire Barn Buildings," in *Country Life*, Aug. 22nd, 1941. Plan and photograph of exterior.

Photographs in Sykes Collection, Tolson Memorial Museum, Huddersfield.

14. Barn at Wooldale Hall. Demolished.

Photograph in Tolson Memorial Museum Collection (Cat. No. H287).

## CLEVELAND.

15. The Rev. J. C. Atkinson states that he was told of cruck built houses "in the Kirby Moorside direction." (Atkinson, J. C.: *Forty Years in a Moorland Parish*, 1907, p. 23).

16. Danby-in-Cleveland. Two houses (demolished) are described by Atkinson. Cruck span 16 ft. 10 ins. Length of bay 17 ft. 6 ins.

*References.*

Atkinson, J. C.: op. cit., pp. 23-6 and pp. 453-6. Illustration of a pair of crucks, p. 24.

Edwards, William: *The Early History of the North Riding*, 1924, p. 225. Photograph facing page 195.

## PANNAL.

17. An illustration of a cruck-built cottage at Burnbridge, near Pannal was published by Edmund Bogg (*From Eden Vale to the Plains of York*, 1894, p. 78).

## SOUTH YORKSHIRE.

18. Buildings at Kimberworth Hill Top, near Rotherham. See Innocent, C. F.: op. cit., p. 66.

19. Cottages at Little Attercliffe, near Sheffield. Demolished. See Innocent, C. F.: op. cit., pp. 32-3, 47, 49, 51-2. Fig. 11.

20. Barn at Dungworth. See Innocent, C. F.: op. cit., pp. 48, 50, 51. Fig. 22.

21. Barn at Dwarriden, Ewden. See Innocent, C. F.: op. cit., p. 48. Fig. 23.

Barn at Ewden. See Innocent, C. F.: op. cit., pp. 40 and 117. Fig. 14.

Renold House, Ewden. See Innocent, C. F.: op. cit., p. 117. Fig. 45.



22. Barn at Hornthwaite, near Penistone.

23. Building at Langsett. See Innocent, C. F.: op. cit., p. 40. Fig. 13. Also Addy, S. O.: *Evolution of the English House*, Revised edition, 1933, Photograph facing p. 88.

24. Barn at Hawksworth's Cote, Upper Midhope. See Innocent, C. F.: op. cit., p. 49. Also Kenworthy, Joseph: *The Early History of Stocksbridge and District*, 1928, Photograph on p. 17.

Hawksworth's Cote. See Addy, S. O.: op. cit., pp. 75-80. Three photographs and plan.

25. Dike Side, near Nether Midhope. A house of four bays (demolished). Cruck span 15 ft. Length of bay 16 ft. See Innocent, C. F.: op. cit., pp. 44, 50-1. Figs. 17, 18, 19, 20. Also Kenworthy, Joseph: op. cit., pp. 90-1. Photographs on pp. 91 and 93.

26. Barn in Little Don Valley. Demolished. See Innocent, C. F.: op. cit., pp. 42-3 and 50. Figs. 15 and 16.

27. Barn at Watson House Farm, Deepcar. See Addy, S. O.: op. cit., photograph opp. p. 54.

28. Barn at Jackson's Farm, Treeton. Demolished. See Addy, S. O.: op. cit., p. 52. Section p. 53.

29. Barn at The Green, Stocksbridge. Cruck span 16-18 ft. Length of bay 15 ft. See Addy, S. O.: op. cit., pp. 93-4. Section of barn, p. 94.

30. Barn at Fulwood. See Addy, S. O.: op. cit., pp. 83 and 103. Photograph opp. p. 104.

31. Building at Wigtwizzle. See Innocent, C. F.: op. cit., pp. 31, 52-3, and 67. Fig. 24.

32. Barn at Falthwaite. See Innocent, C. F.: op. cit., pp. 31, 57 and 90. Fig. 27.

33. Building at Bell Hagg, near Sheffield. See Innocent, C. F.: op. cit., p. 41.

34. Barn at Cowley Manor. Demolished. See Innocent, C. F.: op. cit., pp. 48 and 51. Fig. 21.

35. Barn at Southey, near Sheffield. This is not a true cruck framework as the cruck feet rest on the tie-beams and are, in effect, merely curved rafters. See Innocent, C. F.: op. cit., p. 66. Fig. 32.

36. Barn at Hall Broom. See Innocent, C. F.: op. cit., p. 118.

#### FIMBER.

37. Of seven old farm houses which stood on the village green the last surviving example was described by the Rev. E. M. Cole ("Yorkshire Domestic Architecture—Ancient Houses at Fimber," in *Old Yorkshire*, New Series, vol. ii, 1890, pp. 64-7. Photograph and ground plan).

## HALIFAX.

38. A new house was erected at Holdsworth "de octo laquearibus contiguis—anglice viii crukkes" to be covered "cum tegulis—anglice sclatestones." See Ling Roth, H.: *Yorkshire Coiners*, p. 155. Also Ogden, J. H.: "Antiquarians at Ovenden," in *Halifax Ant. Soc. Trans.*, 1905. Innocent, C. F.: op. cit., p. 59. Addy, S. O.: op. cit., p. 40.

39. High Trees, Greetland. In 1537 Thomas Ramsden (junior) released his right in buildings adjoining a "domum sex crookes." See Lister, John: "Greetland's Ancient Halls," in *Halifax Ant. Soc. Trans.*, July 1902.

## NORTH NEWBALD.

40. "A schedule conteyninge the ruynes and decaies in and abowte the prebende of Northnewbalde and other howses belonging to the same at Northnewbalde" includes the following :

Timber worke. A kilne standinge of forkes xii okes viii li. See Purvis, J. S.: "Dilapidations in Parsonage Property," in *Yorks. Arch. Journal*, vol. xxxvi, Pt. iii, p. 333.

## CHEVET.

41. In a sixteenth century account roll of the building of a house at Chevet occurs the following item :

"Payd to Edward Hayght for tymber wark of the sayd hall wt. iii gavyll ends and the hawtt playse over the deese. iii li. vis. viiid." (The significance of "gavyll ends" has been discussed earlier and is not conclusive evidence of cruck construction). See Preston, Wm. E.: "A Sixteenth Century Account Roll of the Building of a House at Chevet," in *Yorks. Arch. Journal*, vol. xxxii, p. 328.

## MALHAMDALE.

42. The Compotus of Vicar Dytton indicates that cruck framed buildings were common in Malhamdale in the fifteenth century.

## AIREDALE.

43. Cruck House Farm, Oxenhope, near Keighley. The local pronunciation of "cruck" is "crock" which is in entire agreement with the "Crokk" of Vicar Dytton and indicates that it has always been the usual name throughout Airedale.

44. Silsden. There is a small cruck building in Silsden.

## PICKERING.

45. The "Tallow-Dip Factory" now re-erected in York Castle Museum has a cruck framework.

46. Mr. Hudleston informs me that cruck-framed buildings formerly existed at Allerston in the Vale of Pickering.

## DARLEY.

47. A ruined house at Darley, in Nidderdale displays a pair of crucks.

The writer, in his absence from England, wishes to thank Mr. L. R. A. Grove for kindly reading through the proof.



## NEW LIGHT ON THE CHARTULARIES OF MONKBRETTON PRIORY

BY J. S. PURVIS, M.A., B.D., F.S.A., F.R.HIST.S.,  
*Archivist to the York Diocesan Registry.*

There are in existence two chartularies of Monkbretton Priory. The earlier of these is the small volume of 65 folios, Lansdowne MS. 405, originally of 100 folios, in date not later than the year 1340 or thereabouts, since the latest charter copied is dated 1336. The other, and more interesting, volume is now in the strong room of the Society, where some years ago by the good offices of our President it was generously deposited by the owner Lt.-Commander Wentworth of Woolley Hall. A careful and detailed account of this volume, together with abstracts from both the chartularies, was published in 1924 by our President, as Vol. LXVI of the Record Series. In this he pointed out that the date for the Woolley Hall chartulary must be between 1529 and the suppression of the Priory in 1538, since the latest charter copied is dated 6 July 1529. This chartulary contains the unusually interesting and valuable list of books saved from the Library of Monkbretton Priory by the Prior William Brown and by Thomas Wilkynson and Richard Hinchclyf, former brethren of the house, who after the suppression evidently settled down and lived together with ex-Prior Brown in a house at Worsborough.

It was my good fortune, quite lately, in the course of work of compiling an index of the Cause Papers in the Diocesan Registry at York, to detect a small file of three attestations and a few other papers in a suit for tithe at Fishlake in 1575. The file is catalogued as R.VII.G.1757, and is for a suit between Wm. Trymingham and Robert Palmer for tithe of pasture in a close called Hellwicket-smallage. I had already noted that other files in suits brought by Wm. Trymingham supplied incidental information about the later history of Religious and monastic servants, a subject to which I was then giving some special attention. On examination of these attestations, which were all taken in September 1574, it appeared that here was an exceptional and perhaps important reference to a monastic chartulary. The Interrogatories to witnesses, which in these Causes form part of the cross-examination for the defence, made it evident that a chartulary of Monkbretton Priory had been put in as evidence in the case, and the attestations were for no other purpose but to establish that this was indeed the chartulary of Monkbretton Priory. They call for transcription in full, save for omission of a few forms of repetition or of legal concern only.

York Diocesan Registry, R. VII. G. 1757.

25 September 1574.

John Foxe de Monkbretton . . . husbandman, etatis sue circiter lx annorum . . . allegatione lecta in lingua vulgari ac ostenso et per ipsum viso et inspecto libro exhibito et in dicta allegatione contento examinatus dicit . . . that this examine at the dissolution of the monasterie of Monkebretton . . . and by the space of about xvi yeres before as he remembrethe did dwell in the monasterie howse ther, and at his first comminge thither and for the space of vii or viii yeres after he did learne with Sir Richard Palden a preiste of the monasterie one Mr. Thos. Pickhaver being Prior of the monasterye when (he) came thither and for ii or iii yeres after, whome this examine uncle called Sir Wm. Browne did then succede in the said Priorshipp, under whome this examine was chamberlaine at the dissolution of the monasterie and divers yeres before, In which his uncle Prior Brownes tyme he saieth Sir Thomas Wilkinson and Sir William White being two monkes of the monasterie did write oute bookewyse in parchemente all the evidences of the monasterie for he did see them divers tymes receve at his uncles handes then Prior divers parcells of evidences of the monasterye to write, and hath sene and harde the Prior and the monkes examyne and conferre the evidences, and the copies that they had written together, and did know it for it was agreed upon by the Prior and the monkes of the monasterie and openlie knowen to this examine and others of the howse that a booke was in writing to be a Regester of the evidences of the monasterie, and when the same was written he saieth it was bounde by the monkes of the monasterye but by which of them he is not certaine And when it was bounde he did see it in the chamber of his uncle the Prior a yere or two before the dissolving of the monastery which is xxxviii yeres sence at least And at the suppression of the Abbey his uncle then beinge Prior toke the booke from thence with him, for when he died he made this examine, Sir Thomas Wilkinson and Sir Richard Hinchecliff preistes his executors and amongst his bookes the same booke was founde where this examine did see it againe, and then Sir Thomas Wilkinson and Sir Richard Hinchecliffe had it, and Hinchecliff surviving Wilkinson and the booke coming to his handes he the said Hinchecliff died at Mr. Frances Wortley esquire his howse with whom the said booke is now kept . . . He is sure this is the same booke before deposed of his knowledge for that he is somewhat learned. . . .”

Willelmus Foxe de Barnesleye Birkes parochie de Ruyston molendinarius . . . etatis . . . lx . . .

“. . . . was borne at Barnesleye Birkes where he now dwelleth and was brought up with his father and mother dwelling ther in ther life tymes which was not past a mile from Monkebretton Abbeye whereof both at the dissolution of the same and also almost xx yeres before one Sir Willm. Browne this examine uncle was Prior, by reason whereof this examine did muche



resorte to the Abbeye and was verie conversant in the same (his brother and contest John Foxe being the Priors chambrelaine for divers yeres before the Abbey was dissolved) and also many tymes did lye ther and tarye ther many tymes two daies together and more And he many tymes hard saie before the dissolucion of the monasterie that in his uncle Prior Brownes tyme ther was a Regester made into a booke of all the evidences of the monasterie of Monkbretton and that the same was written by Sir Thomas Wilkynson Sir William Lounde and Sir William White And after the dissolving of the monasterie in the dayes of Q. Marye, and nowe about xviii yeres agoe as he remembreth Sir Henry Savile knighte being fermor of the parsonage of Bolton upon Derne sometymes belonging to the monasterie, came to Sir William Browne late Prior this examine uncle then lieng at Woreseburghe, and of this examine hearing being ther presente did heare Sir Henry calling the late Prior Gossope for he had chrestened Sir Henry a doughter called Dorotheie aske Sir Browne late Prior for the Regester booke of the monasterie saieng that a knave had done him wronge in tiethes at Bolton whereof he thought sute wolde aryse, and he hard his uncle say he had it Then quoth Sir Henry Savile Gossopp I praie the lett me see it, and so he did and they ii loked upon it, the said Sir Henry then sitting on horsebacke in the townegate at Worsseburgh and the Prior going to him with the booke and ther shewing it unto him And when they had done with it the late Prior gave this examine the booke to cary in to his howse againe, and so he did, and he saiethe that this is the same and self booke which is in this Courte exhibited and now shewed unto him at his examination and by him self viewed and looked upon for it was then covered as it is with one claspe of leather and yalowe plate, And about vii or viii yeres sence he did also see the same booke at Worsseburghe amongst certein Commissioners ther sitting viz. Mr. Wombwell Mr. Worteley and Mr. Ramsden, about a sute for certein landes lieng at Woresburgh betwixt the purchasors of the abbey lande of Monkbretton ther lienge, and the tennaunte of Synningthwait Abbaye, for ther were landes in Worsseburghe belonging to Synningthwait Abbaye; by reason whereof he knoweth the booke mencioned in this allegation and shewed to him at his examination to be the late Regester booke of the monasterie of Monkbretton, and therefore he thinketh credite is to be geven to it."

30 Sept. 1574.

Robt. Scoleye clericus Vicarius ecclesie parochialis de Broddesworth . . . etatis . . . lxviii annos . . .

" . . . was a monke of the monasterie of Monkbretton, at the dissolution and suppressyon of the same (which is now about xxxvi yeres ago as he thinketh) and for the space of xviii or xx yeres before suche the suppression therof, and saiethe moreover that within two yeres or thereaboutes next after his coming first to the said monasterie one William Browne clarke a monke of the same monasterie was elected and made Prior of the howse and from

thence contynued Prior till the Dissolution of the monasterie, In which Prior Brownes tyme he saieth all the evidence of the monasterie (lest any casualtie should happen unto thoriginalles by fyer) were registred and written into parchment bookewyse, by Sir William White Sir Richard Tickhill Sir Thomas Wilkynson and Sir Richard Hinchcliffe monkes of the said Abbaye for he did many tymes see divers of the originalles to them delivered to be so written, and after the same were by them written ther doinges were bounde into a booke by one Sir William Lounde an other monke of the monasterie who both could and did binde many the bookes of the monasterie; and he saieth that this is the same booke which was the Regester of the monasterie so written and so bounde as before for he saieth that at this his examination lokinge and viewinge the booke and the thinges therin written he knoweth the booke or the most instrumentes and evidences therin registred to be of the handes writinge of the said monkes, and also saieth that the plate which holdeth the clapse of the booke was a pece of a masser of the howse, for at the buyenge of the masser it was beleved that the edge therof had bene of silver and gilte, which after the triall of the same was founde but copper and gilte, with the which after the defacing therof the said Sir William Lounde did bynde the Regester booke and other bookes of the monasterie of this examimates knowledge. And moreover he saieth that when the monasterye was dissolved the said Prior Browne tooke awaye with him the booke and kept it as he hard saie during his lief and left it unto his executors, and afterwardes Sir Richard Hinchcliffe having the same by meanes of the executorshipp of the late Prior, and dieing also, the same booke came unto thandes of Mr. Francis Worteley esquire, with whom he hard saie the same did remayne before it was exhibited in this Courte . . ."

There can be little question about the unusual nature or the importance of this evidence, about a volume which must surely be one of the latest in date of composition, if not the very latest, of all monastic chartularies. These attestations should be set beside the information given by our President in his introduction to the LXVI volume of our Record Series, *Chartularies of Monkbretton Priory*; it is due to his good offices that the chartulary under discussion has been deposited with the Society; the journey from Woolley Hall to Leeds is perhaps the longest which the volume has ever made. That the chartulary was rebound in the early nineteenth century is a minor disaster; it would have been of great value to have had a monastic binding where the name of the binder and his monastery were known, and study of the binding might have served to help in the identification of other books which may have survived yet unidentified from that valuable list of 148 volumes saved from the library of Monkbretton Priory and recorded on blank leaves of the chartulary. The list was written in as late as the year 1558, shortly before the death of Prior Brown.

Even a slight study of the volume in its present condition shows that there are at least two quite distinctly identifiable



hands, and one rubricator throughout; the change from the first main hand to the second comes at f. 207; the catalogue of books is in a hand different from either of these, and rougher. There is evidence, too, in blank pages and parts of pages that the book was written in a somewhat piecemeal manner by "divers parcells" by different persons or at different times. The two main hands are sufficiently characteristic to afford fairly reliable evidence for identification of other MSS. by comparison. There is another point which might repay close study. The initial letters, which show even clearer evidence of different hands than the writing itself, become much more elaborate in the second part of the book, after f. 207, and several of them suggest strongly that they have been influenced by, or even copied from, much earlier examples; those on ff. 276 and 276v are outstanding but not isolated instances which might seem to show reference to twelfth century styles, and may have been taken from early MSS. in the Priory library. This too might play its part in identifications.

Monkbretton was not the only Yorkshire house where some of the religious settled down as a small private community for a time after the suppression of their house; evidence has recently been found in the Diocesan Registry that for a short time at any rate some of the Canons of Healaugh Park remained similarly in association. These facts throw a little light on the supposed severity of the Dissolution. It is a point of minor interest that in the Pension List for Monkbretton in 1539, Thos. Wilkinson appears under his alias of Bolton, but Hinchcliffe and Lounde do not appear at all, who are now well attested as former members of the house and present there at the Suppression.

## AN OLD LITHOGRAPH OF SOME HISTORICAL INTEREST AND IMPORTANCE

### THE EARLY EDUCATION OF SIR ROBERT PEEL.

By J. W. HOUSEMAN, M.A., F.R.Hist.S.

Hanging framed in the old eighteenth-century Hall of Hipperholme Grammar School, is a lithograph, measuring  $19\frac{1}{2}$  inches by 13 inches, having as its central illustration a picture of Sir Robert Peel, Prime Minister for the first time 1834-5 and for the second from 1841 to 1846. Around it are smaller pictures of nine scenes connected with his life; it was evidently published about the time of the great statesman's death in 1850. In large letters around the top of the lithograph run the words, "DEDICATED TO THE FRIENDS OF PEACE"; and below these, "TO ENDEAR THE MEMORY OF SIR ROBERT PEEL, BART.," the name being in the largest type below the illustrations referred to above. In smaller script type below this are the words, "Who at freedom's call nobly devoted himself to extend commerce—to secure the blessings of plenty—and to foster universal brotherhood to the furthest verge of the green Earth."

Below this in still smaller script type there is this quotation: "I have suffer'd much obloquy, I have suffer'd attacks from various parties for the measures I have proposed; I have lost some of my best friends, and forfeited much that memory would hold dear; but I console myself when I think there may be millions who in a state of misery may by my measures be placed in circumstances to be able to eat their bread unleaven'd by the ban of mistaken legislation"—

But the quotations given above are not by any means indicative of the historical importance of this lithograph. The key to this is to be found in the nine pictures around the central figure. Beginning at the top left-hand side and reading downwards they are :—

1. "Drayton Manor House."
2. "Harrow School and Church."
3. "Hipperholme School, Yorkshire."
4. "Chamber Hall. Family Residence, 1788."



On the right-hand side, and reading similarly, they are:—

5. "Town House from Whitehall Stairs."
6. "Constitution Hill where his horse floundered."
7. "Lo here the Patriot sank, for ever free" (a room in his house).
8. "Drayton Basset Church; his final Resting Place."

Centrally beneath his portrait is the ninth view: "Tamworth Castle"; to the left and right of this respectively is a medallion. The centre portrays the rising sun around which are these records:—

- "Took degree at Oxford, 1808."
- "Elected for Cashel, 1809."
- "Elected for Chippenham, 1812."
- "M.P. for Oxford University 1812."
- "Currency Bill 1819."
- "Sec. for the Home Department 1822."

In the centre of the medallion on the right side is a picture of the waxing moon and these records:—

- "Criminal Law Reform 1826."
- "Succeeded to the Baronetcy 1830."
- "First Premiership 1834."
- "Second Premiership 1841."
- "Final Repeal of the Corn Laws 1849."
- "Last Speech in the Commons' House, June 28th, 1850."

Above the main portrait in the centre is a hatchment of his Coat of Arms. On the left-hand side beneath the views the lithograph is recorded as "Entered at Stationers' Hall" whilst on the right-hand side in a corresponding position is the name of the maker, "T. Dean & Sons, Lithographers."

Of the various items of information given in the above, all may be said to be commonly known, except one, and it is because of this one, that this article has been written.

Many books have been written on the life or on the work of Sir Robert Peel. Naturally most of them deal with his political life, but in none which gives information of his early life has the writer seen mention of any connection of Sir Robert Peel with Hipperholme School. Claims, with some foundation based on word-of-mouth tradition, have been made that he received his early education at Bury Grammar School before proceeding to Harrow; they may have some truth in them. Some forty years ago when there was some local newspaper controversy on this question, the then Headmaster of Hipperholme, Mr. G. L. Bretherton, B.A. put forward the case of Hipperholme with a

certain amount of local tradition to support the information of this lithograph. He had also written to Harrow School, in the hope that further information might be had from the records of admission, but unfortunately the records at the time of Peel's entry to Harrow were not extant.<sup>1</sup>

At a later time, when this question was being "investigated" by a local antiquary, the view was published that this (the lithograph) seemed "pretty conclusive evidence which should eliminate all controversy." although the investigator comments, "It is rather curious that the son of such wealthy parents as Peel's should attend a provincial Grammar School." Such an expression of opinion as that contained in the latter part of the preceding sentence would not have been perpetrated had the investigator known more of the history of the School. Fortunately for the sake of historical accuracy, there is extant, ample information concerning the School and its pupils about the time of Peel's boyhood, which should allay any doubts on that score. Hipperholme School at that time stood in very high repute and drew its scholars (who were "tabled out" in various approved houses) not only from the county but also from far beyond, as the following account, published in a short History of the School by the late Chairman of the Governors and a great antiquary, Mr. John Lister, who did much research work for this Society, will help to show :

Mr. Lister wrote : "Mr. William Priestley, of Lightcliffe, afterwards of Thorparch, a most intellectual gentleman, of great musical talent, and a devoted student of etymology, has left us an interesting account of the School and his schoolfellows in the earlier portion of Mr. Hudson's<sup>2</sup> long reign. He writes :

'After the Midsummer Vacation, 1786, I matriculated at the free Grammar School, Hipperholme (free to the inhabitants of the Township of Hipperholme-cum-Brighouse), and I continued there until the Christmas Vacation, 1793. During the early part of this period, the number of boys averaged about 200 on the Foundation and private pupils, but diminished to about 150 at the close of 1793. The following is a list of my contemporaries, of Yorkshire families, independently of those from the neighbouring towns of Halifax, Bradford, Huddersfield, Leeds, Wakefield, Doncaster, etc. Those marked thus \* were my class fellows :—

Althorpe (2) Dinnington, Sheffield.

\*Henry.

\*Abney, Wm. Wooton, of Measham Hall, Derby.

Captain in the Royal Horse Guards Blue, died 1855.

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<sup>1</sup> Through the kindness of Mr. C. T. Clay, C.B., F.S.A., I am able to add further information here. Though many records contemporaneous with Peel's admission to Harrow were lost when the Headmaster's house was burned down, from other school records it has been possible to give the date of Peel's entry to, and leaving Harrow, viz., Feb. 1800, and 1804. These dates are published in the Harrow School Register 1571-1800 as a result of the work of a Committee of which Mr. C. T. Clay was himself Chairman. The work came out in 1934 and the entry is on page 112. Peel must therefore have been very nearly 12 when he entered Harrow.

<sup>2</sup> The Rev. Rd. Hudson, Headmaster from 1782 to 1835, and later Rector of Cockerham, Lancs.



DEDICATED TO THE FRIENDS OF PRINCE  
TO ENDEAR THE MEMORY OF

TO ENDEAR THE MEMORY OF



**CONCRETE**



ИЗДАТЕЛЬСТВО «НАУКА» МОСКВА



YOUNG JAMES M. JR. 3010 11TH AVE. S.W. ALBUQUERQUE, N.M. 87105



CLIMB, YOUTON HILL WHERE HIS HORSE FELL, MOVED



LOI KENGE THE PAYMENT BANK FOR EVERY PRICE.

[illegible]





Armytage. Several members of the Kirklees family were educated here, before and after this time. The late Sir George—his son, John, the father of the present Baronet (1856)—George, a son by Sir George's first wife, a Harbord (Lord Suffield). He died young.

Bradford (3).

Thomas, the General, deceased Dec., 1853, aetat. 76.

\*William, a Captain in the 1st West York Militia, now (1856) Rector of Shorrington.

Henry, a Captain in the Army, died in 1814 of wounds received in France.

Cooke (3), Streetthorpe, Near Doncaster.

Cooke (2) Darfield.

Cholmley (3), Howsham Hall, Malton.

Henry, died at Hipperholme, buried at Coley.

\*Charles.

George, living at Howsham, 1856.

\*Curren, Wm. Hartley.

Dawson Richardson, Clerk (of Whitwell House, Nr. Malton, 1822).

Chaloner (3), of Guisborough.

(This family had the grant of the old Priory there temp. Edward VI).

Childers, William Walbank, Cantley Lodge, Near Doncaster.

Clifton, near Otley, barrister.

Coulthurst (3) of the Gargrave family, previously to this period.

Dr. Henry William, vicar of Halifax, an intimate friend of my father at Hipperholme, and during life.

Cleaver —, of Nunnington.

Field, of Heaton, Near Bradford.

Faber (4), sons of the Vicar of Calverley.

George Stanley, clerk.

Henry.

Charles.

\*Richard, M.D.

\*Fairfax, Guy Simpson, son of the Rector of Newton Kyme. (Newton Hall was the seat of Thomas Lodderton Fairfax in 1822).

Gladwin, son of the General.

Heald (2).

George, the eminent Chancery Barrister.

\*Richard, M.D.

\*Hardy, Charles, Clerk, of Bradford.

Horton, of Howroyd.

Thomas.

Richard, brother of Thomas, Major in the Army, died in India.

Sidney, Admiral (distinguished himself greatly against the French, died 1836).

William, Clerk.

Previously to this period there were :—

Thomas Joshua, Clerk, Vicar of Armskirk.

George, Colonel, living in 1865.

Harvey, William, Rossington.

Hawkesworth, Fawkes (4), Farnley.

Walter.

Frank.

Ascough.

\*Richard, visited Old Crownest on Sundays during my grandfather Walker's life.

Ibbetson, — of Denton Park.

\*Sir Charles, Bart.

James.

Marsden, then Anthony Lister, late Vicar of Gargrave.

Marriott (3), then residing at Leases, Bedale.

Thomas.

Randolph.

\*Charles.

Milner (2), Attercliffe, Near Sheffield.

\*Gamaliel.

John, a barrister.

Mason, Bradford, now Capt. Hewitt, of Dyneley, Near Skipton.

Neville (6 or 7), then residing at Holbeck, Leeds, afterwards at Badsworth.

Brownloe.

Cavendish.

\*George.

Samuel.

Sandford.

Martin.

Parker, Hugh, Sheffield.

of Brownsholme.

of Alkincoates.

Preston (3), of Stump Cross, Morley.

Henry, living at Moreby (1854).

Rudd (2).

Eric, Vicar of Appleby, Lincoln.

James.

Roundell, and two brothers Currer, of Gledstone, Near Skipton.

Richard Henry.

Saltmarshe, Philipp.

\*Slingsby, Charles Scriven.

Scott, Joseph, Woodsome.

Seaton, — Pomfret.

Scott(3), Woodhall, Wetherby.

\*William Lister Fenton.

Charles.

Henry.

Strickland (2 or 3).

Walter.

Straubenzee, of Spenithorne.

Stovin (2), of Rossington.

St. Andrew Warde, Hooton Pagnall.

\*Stork, Henry, Judge of the Isle of Ely.

Torre, Cherry Burton.

Verelst (of Aston, Near Rotherham).

Waddilove (2), sons of the Dean of Ripon.

\*Thomas Darley, died young.

William J. D., Clerk, Beacon Grange, Hexham.

Wood, Sir Francis Lindley, a frequent Sunday visitor at Old Crownest, carrying me frequently on his shoulders to Hipperholme.

Wray (2) sons of the Rector of Newton Kyme.

Cecil, Daniel, Canon of Manchester.

George, Rector of Leven: he obtained the exhibition of Lady E. Hastings, to Queen's College, Oxford.

Wentworth, Godfrey (Armytage), a Crownest Sunday visitor, and particularly kind to me, allowing me to partake of many of the good things sent to him from the gardens at Kirklees—black cherries in great quantities. He took the name of Wentworth whilst at Hipperholme.

Wright, Godfrey, Clerk, of Bradford, now living at Bilham, Near Doncaster.

Wetherherd, Thomas, Clerk, Wetherby.

Yorke, John, Malton Place, Skipton.

Downman, Lieutenant-General Sir T., was at Hipperholme School.

Died suddenly on the 10th August, 1852, at Woolwich, aetat. 80.'

Mr. William Priestly, the writer of the above interesting memoranda, died 1st April, 1860. Sir Robert Peel appears to have been a pupil at the school at the close of the 18th century—after Mr. Priestley had left."



It would be unkind to such readers who have been patient enough to read so far, to withhold from them any traditional evidence which might support in any way the recorded pictorial story of Sir Robert Peel's life, or indeed it would be equally unfair not to disclose any of a refutary nature.

That the tradition that Sir Robert was a pupil at Hipperholme is deep-rooted there is no doubt. Mr. G. L. Bretherton, afore-mentioned, in a newspaper controversy in which he stoutly took up the cudgels for the truth of this contention wrote in 1905 that he had been told by one of the oldest inhabitants (in Hipperholme) that he remembered his father saying that Sir Robert's father owned property in this district, and he used frequently to come over here to look after it. This he continued, would account for his knowing the School, though indeed the School was very well known and had a good reputation in the North of England in those days when good schools were scarce. The present School Hall—and an excellent hall it is still, had just been built—in 1783). Mr. Bretherton went on, "What more likely then, if his father was wishing to send his son to a boarding school, than that he should send him here?"

Going back over a hundred years, in fact to 1843, in the *Bradford Observer*, regarding this tradition, we read :

"On the premises of Mr. Avison, of the White Swan Hotel, Halifax, there is a large stone flag which has been recently removed from a farm (now Brear & Brown's) (*sic*) in the possession of that gentleman at Hipperholme, on account of its deriving a fictitious value from the following circumstances :—It is said on unquestionable authority that Sir Robert Peel passed some of his earlier years at Hipperholme School and moreover, once upon a time, he exhibited his 'longing after immortality' by carving with his own hands upon a block of stone which serves the humble office of fence post, the following inscription :—R. Peel. 'No hostile hands can antedate my doom.' This then is stated to be the identical stone which has just been removed from the 'desert air' as an object to feast the wondering eyes of the curious. Old Time has slightly impaired the carving; but still the work bears ample evidence, of its having been executed with much taste and skill, and strongly shows the Premier's early promise in the use of the chisel."

Proceeding further, we find the tradition still extant, even if doubted. Writing to the Headmaster (Mr. G. L. Bretherton), an Old Boy, Dr. Courtney Kenny, Downing Professor of Law at Cambridge University, author of Kenny's Criminal Law, and one time M.P. for Barnsley, states, "I observe that references were made to a belief that Robert Peel was once a pupil there. Forty years ago I used to hear that report mentioned, but I never met anyone who actually believed it. On a door in the school house

yard (now built over) there was an old name cut—'R. Peel.' We used to conjecture that its presence had given rise to the report. When I last visited the school, I was sorry to find the old wood-work gone and (I suppose) lost. It bore many names and inside one of the large cupboard doors there was a Latin poem of farewell to the school by Mr. Riley, father of the now famous High Churchman Mr. Althelstan Riley. I should be glad to think that this had been rescued from destruction." Mr. Bretherton stated that he could find no trace of this.

When the newspaper controversy of 1905 was going on, a cold douche—or what was intended to be such—was poured on the traditionalists by a letter from a Mr. Brookes, to the *Yorkshire Daily Observer*. It ran :—

Sir,

The mention you give of Sir Robert Peel's connection with the Grammar School at Hipperholme, cannot be other than an error. Sir Robert Peel (2) was wholly educated at the Grammar School, Bury, near Manchester, in buildings which overlook Chamber Hall, where he was born, and also the Print Works at Bury Ground, belonging to the firm of Peel and Yates. He went from Bury to Harrow, where his name is cut out on one of the benches and on a stone at the back of his master's house. From Harrow he went to Christ Church, Oxford, or to Brasenose, I forget which, I am, etc.,

W. M. Brookes.

If the writer of the above had been able to produce as much proof as gusto, there would have been little need to proceed further with the matter. But we are inclined to ask with Mr. Bretherton, "When the writer (above) states that Peel was *wholly* educated at the Grammar School, Bury, will he kindly say what evidence he has to prove these statements?" In order to prove his own, Mr. Bretherton then adduced the lithograph on the evidence of which this article is based.

A letter written from Bury Grammar School by the then Headmaster, the Rev. W. H. Howlett in 1909 to Mr. Bretherton commands infinitely more respect. He writes, "Your letter, (mentioning the lithograph) was most interesting and ought to prove that he was at Hipperholme; the other points confirm, but do not give proof." He then goes on to state on what Bury's claim rested, and to make mention of a still further claim. Here are his own words, "In the Antiquarian Society's (presumably Bury's) Note re Newton there is a statement that Robert Peel was a pupil at that school. Our claim rests on a statement by Veritas who was born 1777 that Robert Peel went to the Bury Grammar School; and as he knew him personally and lived within a few yards of Chamber Hall, there ought to be some truth in it. Also a Mr. Whitehead writes to me to say that his great-grandfather went to Bury Grammar School and sat next to Bobby Peel."



Such are the pros and cons in this question. He would be an unwise historian who wholly pooh-poohed tradition; nor is there anything, excluding of course, Mr. Brookes' letter, altogether incompatible in the two claims; Peel may have spent some time at both schools.

But after all conjecture and purely traditional evidence have been fairly weighed in the balance, the addition of such a substantial piece of concrete evidence as the lithograph, would seem to bring them down with a decisive bump, in favour of Hipperholme as far as its claim is concerned. And because in the standard works on Peel there is singularly little about his early life, we are concerned that this lithograph should not be lost sight of, and consider that awareness of its existence and preservation, is of sufficient historical interest and importance to justify this article.

## HERBERT KNOWLES, 1797-1817

a biography

By LESLIE P. WENHAM, M.A., M.Litt.

A very popular poem in the last century was *The Three Tabernacles* or *Lines written in the Churchyard of Richmond, Yorkshire*, composed on 7th October, 1816 by the boy-poet Herbert Knowles while still a scholar at Richmond School. First printed in 1817 on a separate sheet, it later appeared in numerous periodicals and anthologies. On 19th January, 1900 a facsimile of the original manuscript, then in the possession of the Rev. J. L. Knowles of Scholes, was published in the *Cleckheaton Guardian*.

Many short sketches of Herbert's life have appeared in print—generally in company with the *Richmond Lines*—but they are, with scarcely an exception, misleading and unsound. The more authoritative biographies are those by (i) Dr. Richard Garnett, *Dictionary of National Biography*, xxi, pp. 296-7. (ii) Rev. R. V. Taylor, *Poets of the Spen Valley*,<sup>1</sup> pp. 112-122. (iii) H. Ashwell Cadman, *Gomersal, Past and Present*,<sup>2</sup> pp. 62-6; the latter being based on three articles by the Rev. J. L. Knowles which appeared in the *Cleckheaton Guardian* in 1900 (January 19th, July 20th and 27th).

Through the courtesy of Miss Warman of Beaconsfield, Bucks., the writer has had access to certain unpublished letters from among the many papers left by the Rev. James Tate (Headmaster of Richmond School 1796-1833)—Herbert's teacher and one of his benefactors—which add materially to our knowledge of his life. In this article it is proposed to embody these in a comprehensive biography and also to bring together for the first time the few extant poems from his pen. Unless otherwise stated the following account follows that given by the Rev. J. L. Knowles in the articles cited above.

Herbert Knowles was not, as the majority of writers have asserted, born of humble parents. For generations his forbears had been engaged in the woollen trade in the West Riding and appear to have been in comfortable circumstances. His paternal grandfather, Lionel, was a wool merchant living at Hill Top House, Gomersal, near Leeds, while his father James carried on the business of wool-stapler in London. Gomersal and Heckmond-wike are to-day, and have been for nearly two centuries, great centres of nonconformity and the Knowles family were of this persuasion. '[Herbert] was an occasional member of the [non-conformist] congregation . . . The thin, pale, shrinking lad, who

<sup>1</sup> Ed. Dr. Chas. F. Forshaw, pub. the College Press, Bradford, 1892.

<sup>2</sup> Pub. Hunters Armley Ltd., Armley, Leeds, 1930.



is remembered as being brought by the hand by his bluff uncle Lionel, would doubtless attract little notice, but he possessed rare talents.<sup>1</sup>

On Wednesday, 24th June, 1795 James Knowles, aged 25, married at the Parish Church in Basinghall Street, London, Elizabeth, youngest daughter of Thomas Phillips and very soon afterwards the couple removed to 'Ye house called Green Head' near Huddersfield where three of their six children were born—Herbert on 30th September 1797, Charles James on 29th December, 1798 and George on 22nd December, 1799. A note on the life of Charles occurs towards the end of this sketch; George died at Gomersal in 1808. Their mother died in London on 6th October, 1803, three weeks after giving birth to her second daughter, and their father in March, 1805. James Knowles appears to have lived up to the limit of his income for he left his orphaned family in very straitened circumstances. Herbert, aged 8½, was taken under the care of his father's sister Sarah, the wife of William Burnley of Pollard Hall, Gomersal, whilst Charles was brought up by his paternal uncle Lionel of West House, Gomersal. Herbert first went to school at Gomersal Hall under Mr. Henry Horsfall and subsequently both he and his brother Charles attended some other nearby school kept by a Mr. Kemplay. A few years later—probably in 1811 when he was 14—Herbert was sent to London and lived in Finsbury Square with his uncle Mr. Phillips who apprenticed him to a tobacconist, an occupation the boy quickly learnt to detest. His youthful imagination being stirred by the tales of the Continental wars he ran away in 1812 and enlisted in the army. He became an artillery driver at Canterbury where he spent some two years in the ranks. In the course of a church parade he attracted the notice of Doyle the regimental chaplain. The attentive, intelligent-looking youth whose delicate frame seemed ill-adapted to the hard life of soldiering was a marked contrast to the rough, ill-mannered men around him. After service Doyle sent for him and, being anxious if possible to improve his position, enquired if he could write. 'Yes, sir, I can,' replied Herbert. 'Well bring me a specimen to-morrow at 11 o'clock.' The next day Herbert appeared, bringing as his specimen 120 verses on Canterbury Cathedral.

This came to the ears of Dr. Andrews, then Dean of Canterbury and Lecturer at St. James's, Westminster, who determined to do all he could to help the boy. He commissioned Mrs. Blair, widow of Prebendary Blair of Westminster, who was then going on a visit to some friends at Richmond in Yorkshire, to look out for some northern school supposed good and cheap. In Richmond Mrs. Blair sought out the Rev. James Tate, whose school then ranked as one of the leading classical seminaries in the country, and he, after hearing the story, offered to give Herbert free instruction if the boy's friends would undertake to provide him with books, clothes and other necessities. The boy's relatives

<sup>1</sup> Frank Peel, *Non-conformity in Spen Valley*, p. 177.

made some small contribution though the bulk of the expenses was borne by Dr. Andrews. A few months after Herbert was settled in the school, Mrs. Blair wrote the following letter to Mr. Tate<sup>1</sup>:—

36, Dublin St.,  
Edinburgh.

Dec. 20th 1814.

Dear Sir,

. . . I am greatly pleased with your account of Herbert Knowles and hope his future conduct will prove him worthy of your kindness and attention—I certainly never saw him but knew every particular from the Dean of Canterbury and several most respectable artillery officers who were all interested about him. To the Dean who, I am sure, will be greatly pleased with your account, I shall transmit your letter to [*sic*] in a day or two—it says a great deal in this young man's favor [*sic*] his retaining that simplicity of manner which at first recommended him to the notice of his his [*sic*] friends in the artillery after a two year's service in that Corps with characters many of them of the worst, and from whose example it was to be feared he might not only imbibe vice but lose his own good principals [*sic*]—I am glad, small as the sum is, that his relations have come forward at all and I trust if he conducts himself to your satisfaction they will do everything they ought to enable him to succeed in his pursuits. My daughter writes in best compliments to yourself and Mrs Tait [*sic*] and I remain, dear Sir,

Your [            ?            ],

Ann. B.

Knowles did something to repay Mr. Tate for his free schooling by teaching elementary subjects to the junior classes. In 1814 an additional room was built on to the School-house and on 5th March of the following year Mr. Tate wrote to a friend<sup>1</sup>:—

The addition to the School is not only completed, but occupied. Mr. Demilly teaches French in it; Turner and Herbert Knowles, two *élèves* of mine, teach writing and accounts in it: and I make whatever use besides of it I like . . .

One of Herbert's school-fellows writing some years later in *Notes and Queries*<sup>2</sup> said :—

. . . I may here mention a trivial matter which has long lingered in my memory, and which may perhaps be some slight evidence of a retiring and meditative disposition as characteristic at that time of the youthful bard.

Some of us were returning at dusk of evening from the well-known field which was then our play-ground, by the

<sup>1</sup> Tate collection.

<sup>2</sup> 2nd Series, viii, p. 153 (20th August, 1859).



side of the river. Herbert Knowles was walking in the contrary direction, towards Easby, when some remark was made playfully by one of the scholars, about his own standing, as to Herbert liking a late and solitary walk.

On 7th October 1816 Herbert wrote his celebrated poem *The Three Tabernacles*. His talents were at once appreciated by his friends, and arrangements were set on foot to support him at the university. Some of his relations were induced to club together and guarantee a sum sufficient to defray the cost but, owing to the difficulties of the times, most of these promises fell through. But Herbert had not quite given up the idea, for now occurred what Mr. Tate described as 'a pure piece of roguery.' During a sham illness of a week he wrote an epic poem of 1,574 lines entitled *A Richmond Tale* and sent it by mail to Robert Southey, then Poet Laureate, with a letter stating his circumstances and expressing the hope that by its publication he might receive the necessary funds to prosecute his studies at the university. Southey in return sent the following reply :—

Keswick, 27th October, 1816.

Your poem arrived this morning and I have just finished the perusal of it. When I tell you that I never saw clearer proofs of feeling and power in the verses of a young poet, you will not suppose that I wish to discourage you from the pursuit of poetry when I dissuade you from publishing. Far from it: genius like yours cannot fail of success, if it be wisely directed; but premature publication would inevitably bring with it every disappointment, nor could it possibly accomplish the purpose for which it is designed. In what manner then can that purpose be effected? This is what I am desirous to find out. The University would obviously be the place in which you might have the fairest and surest means of establishing yourself, if means could be found for placing you there. But if you have been only 18 months acquiring Greek and Latin, it seems scarcely possible that you should have made such progress as would enable you to get on there, if the first great difficulties were removed. Why the intentions of your friends on this subject were frustrated, you have not explained; and I should be most unwilling to hurt your feelings by enquiring more than you may be disposed to answer. But if you think it might be of service to you to write to the Dean of Canterbury, or any other of those friends, and consult with them concerning the manner in which your interests might best be promoted, I will readily do so. With regard to your own plan, would Mr. Tate like you to remain with him as long as you propose, and at what expense could this be accomplished? And have you looked fairly at the prospects which would then be before you, supposing you could obtain ordination? Have you any other probability of preferment than what you found on your

own talents or deserving? I would not undervalue this; but you must not place too much dependence upon it, and a curacy would but afford a bare maintenance. Yet on the whole if there be no prospect of establishing yourself at the University, this seems the most feasible plan; for if you were only secure of a maintenance, you would live in hope of distinguishing yourself, and certainly would do so, if the fruit should bear any proportion to the blossom. You speak of Mr. Tate as if you loved and respected him; I should like to know what he would recommend for you. Shall I write to him? Believe me, I am truly solicitous to see you relieved from present anxiety, and placed in a situation which would hold out hopes equal to your desert. But you will ask me why I do not advise you to publish the poem, if it contain indisputable marks of genius? Because there is not the slightest likelihood of emolument from it. Full of genius it certainly is; and its faults are only exuberances which evince the vigour of the root from whence they have sprung. In a very few years you will perceive these faults, and perceive also the crudity of the plan. No poet ever published in his youth without wishing in mature life, that it were possible to recall the premature publication. It is less likely that you would make friends by the publication, than that they may be made for you without it, by a fair representation of what may be expected from you, and you would certainly make enemies by the attack upon the inhabitants of Richmond.

Farewell and believe me your sincere well-wisher.

Robt. Southey.

Herbert replied to Southey and requested him to write to Mr. Tate; this Southey did in the following terms:—

Keswick, November 3rd, 1816.

The motives which induce me to intrude upon you with this letter will, I trust, suffice both for introduction and apology. Your pupil Herbert Knowles has sent a poem for my perusal, and that perusal has excited in me a very strong desire that such endowments as those with which Providence seems to have gifted him, might be cultivated in the best manner, both for his own advantage and for that of society. The poem is crudely planned, as might be expected, and has all the exuberance of a juvenile performance; but it bears with it most unequivocal marks of feeling and genius. May I request you, sir, to favour me with some account of this youth? Feeling and genius are not the only qualities to be desired; but when they are united with a good disposition they cannot be prized too highly, nor too carefully cultivated. I learn from him that his way of life seems full of difficulties. Are his attainments such as would enable him to make his



way at college? And what are your wishes concerning him and your opinion concerning the course which he should pursue? It is not from mere curiosity that I trouble you with these questions. As an individual, I am little favoured by fortune; but it is very probable that I might find some means of serving him, if the way were pointed out.

I am, sir, respectfully yours, etc.,

Robert Southey.

On 17th April 1816 Southey had lost his eldest and most gifted son whose christian name was also Herbert and, on this account, his interest in Knowles seems to have been the more particularly arrested. In answer to Southey's letter, Mr. Tate wrote to the effect—'If you will answer for his genius, I will make answer for his good conduct.' The result was that Southey wrote to his friend Grosvenor C. Bedford, Esq., requesting his assistance<sup>1</sup>—

November 23rd, 1816.

My dear Grosvenor,

I want to raise £30 a year for four years from this time and for this purpose :—

There is a lad at Richmond School (Yorkshire), by name Herbert Knowles picked out from a humble situation for his genius (he has neither father nor mother), and sent to this school (a very excellent one) by Dr. Andrews, Dean of Canterbury, and a clergyman, by name D'Oyle (so the name is written to me); if it should turn out to be D'Oyley, of the Bartlett's Buildings Society and the *Quarterly*, so much the better. From these and another clergyman he was promised £20 a year; his relations promised £30, and Tate the schoolmaster, a good and an able man, gave him the run of his school (more he could not do, for this valid reason, that he has a wife and ten children); so his boarding, &c. were to be provided for. The plan was, that when qualified here, he was to go as a Sizar to St. John's; and this has been defeated by the inability of his relations to fulfil their engagements, owing to unforeseen circumstances, connected, I suppose, with the pressure of the times.

In this state of things, Herbert Knowles, God help him, thought the sure way to help himself was to publish a poem. Accordingly, he writes one, and introduces himself by letter to me, requesting leave to dedicate it to my worship, if, upon perusal, I think it worthy, and so forth. Of course I represented to him the folly of such a scheme, but the poem is brimful of power and of promise. I have written to his master, and received the highest possible character of him both as to disposition and conduct; and now I want to secure for him that trifling assistance, which may put him

<sup>1</sup> Southey's *Life and Correspondence*, iv, pp. 221-3 ed. Rev. C. C. Southey.

in the right path and give him at least a fair chance of rendering the talents, with which God has endowed him, useful to himself and beneficial to others.

Of the £30 which are wanting for the purpose, I will give £10, and it is not for want of will that I do not supply the whole. Perhaps if you were to mention the circumstance to———and to———, it might not be necessary to go farther. He must remain where he is till October next, and by that time will be qualified for St. John's. God bless you.

R.S.

Mr. Bedford's applications appear to have been unsuccessful so Southey then communicated with Mr. Samuel Rogers, the poet, whose generosity to struggling genius he well knew. Mr. Rogers kindly promised to pay one portion of the sum required while Lord Spencer<sup>1</sup>—whose guest he happened to be when he received Southey's letter—promised to contribute the remaining £10. All arrangements seemed completed for Herbert's admission to the university and Southey communicated the good news to him; here is the youth's grateful and sensible reply<sup>2</sup>:—

Gomersal, near Leeds, Dec. 28, 1816.

My dear Sir,

I have duly received your last two letters, both of which have filled me with pleasure and gratitude, not so much for the solid advantage which your kindness affords and has obtained for me, as for the tender manifestation which it gives me of your concern for my welfare.

And now, my dear Sir, I will freely state to you my feelings and my sentiments at the present hour. Upon reading the life of Kirke White, I was struck with surprise at the distinguished success which he met with at the University; and from his inordinate anxiety and immoderate exertions to obtain it, I was insensibly led to the opinion, not that his success at college was considered as *sine qua non* for the benevolence of his patrons, but that that benevolence was under the impression, and accompanied with the expectation, that he would make a corresponding compensation in the credit reflected upon them from his distinction at college.

<sup>1</sup> Uncle of Herbert Spencer the philosopher. Herbert Spencer, *Autobiography*, i, p. 64, writes—'The final choice of [my] name Herbert was due to an occurrence of the preceding year [i.e., 1819]. While still at College my uncle had sent, in a letter to my father, a copy of some verses by a recently-deceased young poet named Herbert Knowles. My uncle's admiration of them was, I believe shared by my father; and, as I learnt in after years, this led to the choice of the name Herbert for me. But my father's preference was I suspect in large measure due to the consideration that being uncommon (for though now not rare, it was then very rare) it would be thoroughly distinctive.'

<sup>2</sup> Southey's *Life and Correspondence*, iv, pp. 223-6.



I will not deceive. If I thought the bounty of my friends was offered under the same impression, I would immediately decline it. Far be it from me to foster expectations which I feel I cannot gratify. My constitution is not able to bear half the exertion under which Kirke White sunk; double those exertions would be insufficient to obtain before October next his attainments, or insure his success at St. John's. Two years ago I came to Richmond, totally ignorant of classical and mathematical literature. Out of that time, during three months and two long vacations, I have made but a retrograde course; during the remaining part of the time, having nothing to look forward to, I had nothing to exert myself for, and wrapped in visionary thought, and immersed in cares and sorrows peculiarly my own, I was diverted from the regular pursuits of those qualifications which are requisite for University distinction . . . I need not say much more. If I enter into competition for University honours, I shall kill myself. Could I twine (to gratify my friends) a Laurel with the Cypress, I would not repine; but to sacrifice the little inward peace which the wreck of passion has left behind, and relinquish every hope of future excellence and future usefulness in one wild and *unavailing* pursuit, were indeed a madman's act, and worthy of a madman's fate.

Yet will I not be idle; but as far as health and strength allow, I will strive that my passage through the University, if not splendid, shall be respectable; and if it reflect no extraordinary credit on my benefactors, it will, I trust incur them no disgrace . . .

I am at a loss to convey to you the high sense I feel of your proffered kindness, and that of your friends. The common professions of gratitude all can use, and extraordinary ones are unnecessary. Suffice it, then, to say, *I thank you from my heart*; let time and my future conduct tell the rest.

I know not how I should act with respect to Lord Spencer and Mr. Rogers. Will you direct me? Should I write to them? If so, will you give me their respective addresses? . . . With the highest esteem for your character, profound veneration for your talents, and the warmest gratitude for your kindness, I have the honour to be,

My dear Sir,

Affectionately yours,

Herbert Knowles.

Herbert's prognostications as to the likely effect of hard study upon his feeble body were only too well borne out. Less than two months after the receipt of the above letter Southey received from Mr. Tate the news that he had died at Gomersal on 17th

February 1817. In his letter,<sup>1</sup> Mr. Tate, after speaking of Herbert with the greatest affection and saying that all that the kind attention of friends and medical skill could do, had been done, added :—

But with ardour and genius, encouraged by the most flattering patronage, the stamina of his constitution could not support the anxious energies of such a mind; and before we were well aware of the danger that impended, the lamp was consumed by the fire which burned in it . . . Poor Herbert had in prospect commenced his academical career. He died grateful to all his friends, and had longed for recovery the more earnestly, that he might redeem his unwilling silence by the expression of his gratitude.

Knowles was buried in the Chapel Yard of Upper Chapel at Heckmondwike. The inscription on his tombstone reads :—

Herbert Knowles,  
Died February 17th, 1817.

His superior genius engaged for him the patronage of men eminent for rank, talents and learning, but the ardour of his mind destroyed its mortal tenement, and he fell a victim to consumption at the age of 19 years.

The following reference to his death occurs in a letter<sup>2</sup> written by Mr. Tate to his eldest son James when the latter was a pupil at the Charterhouse. It is dated Thursday 13th March, 1817 :—

The copy of poor Herbert's verses was in fact meant for you; and it was my intention to desire Mr. Chapman [House-master at the Charterhouse] would cut the half sheet off, to be so delivered. The good Dean of Canterbury who is also Rector of St. James's, Dr. Andrewes [*sic*], recommended him to me: and his own talents as a poet introduced him to the knowledge of that kind-hearted man, Robert Southey, who having lost a darling son—Herbert—felt, perhaps, some charm in the name also. Lord Spencer and others were engaged by the Poet Laureate's zeal to patronise him at College; and he was actually entered of St. John's, to go in October next. At Cambridge, George Peacock<sup>3</sup> tells me, 'they were all very much grieved at the premature fate of poor Herbert: his verses have been much and very generally admired.'

#### HERBERT AND CHARLES KNOWLES.<sup>4</sup>

It will be remembered that Herbert Knowles, in his letter to Southey dated 28th December 1816, spoke of being 'immersed

<sup>1</sup> Southey's *Life and Correspondence*, iv, p. 227.

<sup>2</sup> Tate collection.

<sup>3</sup> Then tutor at Trinity; later Dean of Ely.

<sup>4</sup> *cf.*, *Cleackheaton Guardian*, 27th July, 1900.



in cares and sorrows peculiarly my own.' No doubt his thoughts were then disturbed by anxieties concerning his younger brother Charles for whom he entertained a deep affection and whose whereabouts at that time were probably unknown to him or his family. On the death of his father, Charles went to reside with his paternal uncle Lionel at West House, Gomersal. After Herbert went to London he appears to have continued at Mr. Horsfall's School until 1814 when, aged 15, he was apprenticed to a Dr. Blackburn in Liverpool. At first the medical profession appealed to him but, within a year, he had learnt to hate it—'a mistake, apparently trifling, but in reality dangerous, which [he] had the misfortune to make, first planted the seeds of dislike.' In January 1816 he wrote a long letter to his cousin Lionel Knowles, junior, at Gomersal asking the latter to use his good offices with the family to get him, if possible, removed to a new and more congenial occupation. Receiving no satisfaction from his cousin he wrote to Herbert in Richmond.

Undated.

Dear Herbert,

I received your letter, but finding nothing in it of consequence, I have delayed answering it until now. I am extremely busy, and must therefore be brief. I entrust to your care the few things contained in this parcel, hoping you will preserve them till I shall again demand them. You will most likely be surprised at receiving this, and probably curious to know my reason for sending it at the present moment. A few days will explain all. I am now about to take a step which I have no doubt you, as well as all my other friends, will condemn as fatal to my future happiness. I can only say that as you are unacquainted with my reasons you cannot be competent to judge of their expediency. But every moment is precious. All I have to say then is that time may justify my conduct, and beg you will not be misled by appearances.

I remain,

Your affectionate brother,

Chas. Knowles.

Realising the gravity of the implications in this letter Herbert immediately wrote to (i) his cousin Lionel in Gomersal and (ii) to Charles in Liverpool :—

(i)

Richmond School, April 12th 1816.

My dear Sir,

The enclosed letter, which I have this moment received from Liverpool, I take the liberty of forwarding to you. I do so, in the first place, because I think it my duty to acquaint you (who have always expressed and felt so much solicitude for Charles's welfare) with any intelligence which

may either directly or remotely affect it. And, secondly, because I entertain hopes that by submitting Charles's letter to your consideration, I may enable you to prevent an indiscretion, which is likely to prove so distressing to the family and so injurious to his own best interests. I am at a loss to know the nature of that 'step' alluded to in his letter, but I am very apprehensive that it is no less than to leave clandestinely the eligible situation in which his relatives have so kindly placed him. To dictate to your own good sense the measures which might be expediently employed to prevent this evil would in me be unbecoming and superfluous. Should I, however, venture to suggest a hint which may facilitate your endeavours to that end, I hope you will attribute it to my anxiety to serve Charles. In the first place then, I think it will be necessary to write immediately to Liverpool and make Mr. and Mrs. Alderson acquainted with the contents of Charles's letter. If he has not already put the rash step into execution, the expostulation of Mr. Blackburn and the authority of Mr. and Mrs. Alderson would I hope have some effect in preventing it. Mr and Mrs. Knowles have supported Charles from infancy, and ever treated him as their own child. They have formed great hopes of his future conduct and respectability in life, and are yet willing to do much to forward him in the profession in which, with his own consent, they placed him. Were Charles then (regardless of his own interest and every sentiment of gratitude and duty) to execute the rash step he has projected, he would infallibly lose, beyond recall, Mr. and Mrs. Knowles's friendship and protection. Nay, more, were they only to know his intentions (though unexecuted) the knowledge could not but materially injure him in their esteem. Let me beg, therefore, that you will conceal Charles's letter and its contents from Mr. and Mrs. Knowles, at least till the endeavours made by Mr. and Mrs. Alderson and Mr. Blackburn, to bring Charles to a better mind, shall have proved unsuccessful. I should be very much obliged if you would favour me with an account of your success in this business. Distribute my gratitude, my duty and respects amongst all my relations and friends, and believe me, I shall ever retain a lively sense of the many acts of kindness for which I am indebted to you, and more especially during my last visit to Gomersal. I have the honour to be, my dear Sir, affectionately and gratefully yours,

Herbert Knowles.

(ii)

Richmond School, April 12th, 1816.

My dear Charles,

I received your letter, enclosed in a parcel of old writing books, this morning, and considering alike my duty to my



relations, and the most effectual way of promoting your real interest, I have forwarded it to Gomersal for the inspection of your cousin, Mr. Lionel Knowles, jun. Your letter has both astonished and alarmed me ! Must then all my efforts to save you be ineffectual ? Will you madly rush to your destruction ? Charles ! listen for once to one who can have no interest in deceiving you—no wish but to serve you ! Recollect that we are none of us born to be idle, and that every situation has its disadvantages. Recollect that you have been placed by relations, on whom you have no claim, in a situation not only eligible for its present respectability, but for the prospect which it affords you of becoming eminently and extensively useful as a professional character in after life. Look into society. Tell me where, if you relinquish your present situation, you will find another equally advantageous. Tell me how many thousands of young men are now lamenting in disappointment that restless and discontented ambition which led them from the safe and humble walks of common life to the Quixotic pursuit of some airy and unsubstantial good. Charles ! from you better things are expected ! Your relations (from strangely mistaking my character) have long since turned their eyes upon you, as the hope of the family and the comfort of their declining years. O, disappoint them not ! You are now blest with the affection and favour of your relations, and the respect and esteem of your numerous friends. Leave Mr. Blackburn's and (except myself) you will not have a friend in the world. In your present situation you bid fair to become not only a respectable but an opulent member of the community. Leave that situation, and all that probability allows you to expect is a scanty livelihood, and even that is precarious. Your character is now respected and defies even calumny itself; commit one imprudent act, and you expose yourself to the envenomed shafts of prejudice and misrepresentation, and every part of your future conduct will be liable to be regarded with a jaundiced eye. Believe me, Charles, for I pledge my sincerity on the truth of my assertion, that if you leave Mr. B., and rush unprotected and unprovided for on the theatre of life, you will one day deeply repent it. It is a step replete with danger, a step in which you are sure to find hardship and to encounter difficulties, which as yet are only known to you by description, and in which the happiness you seek for, if eventually gained, will scarcely be an equivalent for the risk you run in the pursuit. Will no consideration avail ? Your interest forbids you to take a step which will infallibly terminate in ruin. Your duty commands you to remain in a situation which it has cost your kind relatives so much to procure for you. Gratitude, the remembrance of past favours, should incite you to make a sacrifice of present inclination to the wishes of your friends.

Your brother Lionel looks up to you for an example of steadiness and diligence. Your sister looks up to you for future assistance and protection. And especially recollect that there is the all-seeing eye of Providence, who regards and will assuredly punish the criminal neglect or abuse of the advantages and talents committed to your care.

You have often complained that you have no pocket money allowed you. I sympathise with you, and have often lamented that your relations did not allow you a trifle per week to defray those expenses which are inseparable from any situation. But is it not the part of true wisdom to put up with a temporary inconvenience, to secure a permanent good? You know my willingness to serve you to the best of my ability. You know that my heart is liberal but my purse confined. I however renew, or rather continue, what I have before given you. I will send you a shilling a week (that is £1 for every 20 weeks you continue at Mr. Blackburn's, beginning from the time I saw you in Liverpool). At present I have nothing more to say—it remains with you to make what I have said effectual. To enlarge would be superfluous. In a word then, you can not please me more than by steadily and diligently attending to the duties of your profession, nor grieve me more painfully than by leaving Mr. B. and thereby acting contrary to every sentiment of gratitude, duty, and interest. Believe me with every kind wish to remain yours,

Herbert.

P.S. I have much more to say, but the limits of my paper bid me drop my pen. Other avocations call me away. Write immediately and convey a soothing balm to my soul in the assurance that my letter has had some effect in enabling you to subdue the madness of a perverted and temporary inclination to the dictates of reason. God bless you. Adieu!

Three days later Herbert again wrote to his cousin:—

Richmond, 15th April, 1816.

My dear Sir,

I this morning received a letter from Mr. G. Phillips, which I lose no time in answering. I have examined the parcel sent to me from Liverpool, by Charles, and I give you a list of its contents below. I cannot conceive what could influence Charles to send me a parcel, for the whole of which I would not give a quarter of the money I paid for the carriage. He may, however, attach a value to them for the sake of the remembrances with which they are associated, but to any other person, I believe they are altogether useless. I should be that last to suspect Charles guilty of taking anything from Mr. Blackburn's that did not belong to him. And indeed, I should be the last to suppose that (in the con-



temptation of running away from Mr. Blackburn's) he would send anything to me or any other person that he could possibly turn into money at Liverpool, or elsewhere. I hope you wrote to Liverpool on the same day on which you received my last—that seemed to be the only chance of saving him. With great anxiety I shall wait for an account of your success. Give my love to some of my friends at G., my respects to more, and my gratitude to all. I have the honour to be, my dear sir, affectionately and gratefully yours.

Herbert Knowles.

List of articles sent in the parcel—4 piece books, written at Mr. Kemplay's (one of which was mine); 3 books containing his book-keeping; 1 *Rural Tales*, by Robert Bloomfield; 1 *Christmas Hymn*, and a few papers of no value or consequence.

This parcel came by coach, and I should think could not be more than a day and a night, after it was sent from Liverpool, in reaching me. Unless therefore he left immediately after sending it, I think if you wrote immediately, there was a chance, if not of preventing his going, yet of overtaking him when gone.

Herbert.

Charles left Liverpool, however, without receiving either his brother's or his cousin's letters. He left behind him a 'manifesto' of some 1,300 words addressed to 'All it may concern' attempting a justification of his running away. Details of his later fortunes do not concern us here; it is sufficient to say that he did make good and became, later in the century, one of the most eminent and successful Q.C.'s on the northern circuit. He died in 1868.

## THE WORKS OF HERBERT KNOWLES.

Besides *The Three Tabernacles* Herbert Knowles wrote a number of other poems. Reference has already been made to his verses on Canterbury Cathedral—the 'specimen' of his writing handed to the chaplain of his regiment—and of the so-called *Richmond Tale* addressed to Robert Southey. Two of his school-fellows—C. H. of Leeds<sup>1</sup> and F.C.H.<sup>2</sup>—stated that they had seen or heard of other MS. poems while J.S.<sup>3</sup> said 'he [Knowles] left behind him a MS. volume of poems.' Below are appended the only extant portions of his works :—

<sup>1</sup> *Notes and Queries*, 2nd series, viii (23rd July, 1859).

<sup>2</sup> *Ibid.* (6th August, 1859).

<sup>3</sup> *Ibid.* (20th August, 1859).

(i)

*The Three Tabernacles*

or

*Lines written in the Churchyard of Richmond, Yorkshire.*

7th October, 1816.

'It is good for us to be here: if  
thou wilt, let us make three  
tabernacles; one for thee, and one  
for Moses, and one for Elias.'

Matthew, xvii, 4.

Methinks it is good to be here,  
If thou wilt, let us build—but for whom?  
Nor Elias nor Moses appear,  
But the shadows of eve that encompass the gloom,  
The abode of the dead, and the place of the tomb.

Shall we build to ambition? Oh no!  
Affrighted he shrinketh away;  
For see! they would pin him below  
In a small narrow cave, and begirt with cold clay,  
To the meanest of reptiles a peer and a prey!

To beauty? Ah, no!—she forgets  
The charms which she wielded before;  
Nor knows the foul worm that he frets  
The skin which but yesterday fools could adore  
For the smoothness it held, or the tint which it wore.

Shall we build to the purple of pride—  
The trappings which dizen the proud?  
Alas! they are all laid aside—  
And here's neither dress nor adornment allow'd  
But the long winding sheet and the fringe of the shroud.

To riches? Alas! 'tis in vain;  
Who hid, in their turns, have been hid;  
The treasures are squander'd again;  
And here in the grave are all metals forbid  
But the tinsel that shone on the dark coffin lid.

To the pleasures which mirth can afford—  
The revel, the laugh and the jeer?  
Ah! here is a plentiful board!  
But the guests are all mute as their pitiful cheer,  
And none but the worm is a reveller here.

Shall we build to affection and love?  
Ah, no! they have wither'd and died,  
Or fled with the spirit above—  
Friends, brothers and sisters are laid side by side,  
Yet none have saluted and none have replied!



Unto sorrow?—the dead cannot grieve—  
 Not a sob, not a sigh, meets mine ear  
 Which compassion itself could relieve !  
 Ah ! sweetly they slumber, nor hope, love, nor fear;  
 Peace, peace is the watchword, the only one here !

Unto death, to whom monarchs must bow ?  
 Ah, no ! for his empire is known,  
 And here there are trophies enow !  
 Beneath the cold dead, and around the dark stone,  
 Are the signs of a sceptre that none may disown.

The first Tabernacle to Hope we will build,  
 And look for the sleepers around us to rise !  
 The second to Faith, which insures it fulfill'd;  
 And the third to the Lamb of the great sacrifice,  
 Who bequeath'd us them both, when he rose to the skies.

Printed on a separate sheet in 1817; first published in N. Carlisle, *Endowed Grammar Schools*, ii, p. 880 the following year.

## (ii)

*A Persian Precept.*<sup>1</sup>

Forgive thy foes;—nor that alone;  
 Their evil deeds with good repay;  
 Fill those with joy who leave thee none,  
 And kiss the hand upraised to slay.

So does the fragrant sandal bow,  
 In meek forgiveness to its doom;  
 And o'er the axe, at every blow,  
 Sheds in abundance rich perfume.

First printed in the *Literary Souvenir* (1825), p. 209.

## (iii)

*Love.*

Thy stream, oh Love divine, rolls on  
 The sweeter for the waste around;  
 'Tis when all other joys are gone,  
 Thy joys are most refreshing found.

So, down dread Etna's burning side,  
 A wondrous rill for ever flows;  
 As pure, as cool, as those which glide  
 Through regions of unmelting snows.

First printed in the *Literary Souvenir* (1825), p. 209.

<sup>1</sup> Called *Forgiveness* in *Poets of the Spen Valley*, ed. Dr. C. F. Forshaw, p. 122.

(iv)

*People will Talk.*

You may get through the world, but 'twill be very slow,  
 If you listen to all that is said as you go  
 You'll be worried, and fretted, and kept in a stew;  
 For meddlesome tongues must have something to do—  
 And people will talk.

If quiet and modest, you'll have it presumed  
 That your humble position is only assumed,  
 You're a wolf in sheep's clothing, or else you're a fool;  
 But don't get excited, keep perfectly cool—  
 For people will talk.

And then, if you show the least boldness of heart,  
 Or a slight inclination to take your own part,  
 They will call you an upstart, conceited, and vain;  
 But keep straight ahead, don't stop to explain—  
 For people will talk.

If threadbare your dress, and old-fashioned your hat,  
 Someone will surely take notice of that,  
 And hint rather strong that you can't pay your way;  
 But don't get excited, whatever they say—  
 For people will talk.

If your dress is in fashion, don't think to escape,  
 For they criticise then in a different shape—  
 You're ahead of your means, or your tailor's unpaid;  
 But mind your own business, there's nought to be made—  
 For people will talk.

Now the best way to do is to do as you please,  
 For your mind, if you have one, will then be at ease,  
 Of course you will meet with all sorts of abuse;  
 But don't think to stop them—it ain't any use—  
 For people will talk.

Printed in *Poets of the Spēn Valley*, ed. Dr. C. F. Forshaw,  
 pp. 121-2.

(v)

*Fragment of an unfinished poem.*

She breath'd no accent, and she mov'd no limb,  
 But rais'd her dark eye, and it fix'd on him;  
 And there was something in that marble brow,  
 Of pensive sadness unobserved till now;  
 It was not thus when last he met that face,  
 And gaz'd upon it in his warm embrace;  
 But yet so lovely in its pensive air,  
 One scarce could wish a brighter feature there;  
 Secure that aught so beautifully sad,  
 Itself would sorrow to be seen more glad.



She sigh'd—she mov'd—through every purple vein  
The life-blood rushes in its force again;  
She rose—and as she bare her head away,  
She blush'd to see the pillow where it lay,  
For he had prest it to his beating heart,  
And grudg'd the strength that bade it thence depart.  
Yet was it not the mountain wave, that brought  
Such swift return to energy and thought;  
But the wild throb that beat within his breast,  
Rous'd its fair burden from its senseless rest;  
And such a throb—if plac'd there in its stead,  
Had almost woke a swooner from the dead.

Awhile they talk'd—but oh how wild the strain,  
It all was lost in this—"We meet again!"  
For as he told his feats of valour o'er,  
And all his perils since he left the shore;  
She, as she heard that each forebore to kill,  
And left her Albert for his Ellen still;  
Clasp'd her white arms around his manly neck,  
As if she then had snatch'd him from the wreck;  
And prest again his sun-burnt cheek to hers,  
With all the wildness such a thought confers.

O deem not—ye who know no hours like this,  
The soft embracement, and the burning kiss—  
That such was evil—look upon the times,  
And call it libel on the British climes.  
The Greek, the Turk, can love with hotter flame,  
And feel a passion worthy of the name;  
The Indian maddens with the fierce desire,  
And all but England owns a soul of fire;  
Has she alone, proud mistress of the main,  
Imbib'd its coldness in her sicklier train?  
Has she alone, whom works of art gave birth,  
The richest—blackest empire of the earth—  
Snuff'd all its smoky particles from thence,  
To choke the finer avenues of sense?  
Perchance I wrong them—but whate'er the cause,  
Religion, manners, government, or laws,  
There is a something in our dull cold climes,  
Which blunts our feelings as it cramps our crimes;  
Politeness, custom, call it what you will,  
It is the soul's foul fretting moth-worm still.  
Oh God! when heart to heart can beat again,  
What law, what custom, should the throb restrain?  
When lip to lip and breast to breast would tell  
The inmost bosom's fermentative swell,  
Shall Nature bind herself with formal ties,  
And love confine its language to the eyes?

But oh ! if Ellen err'd in this alone,  
 And scorn'd their manners where her lot was thrown,  
 Reproach her not—her all of joy or woe,  
 Her hope, her fear, her happiness below,  
 Her sole companion in the path she run,  
 Her friend, her brother, lover, all in one,  
 Was Albert ! then in such an hour as this,  
 They sure were harsh who blam'd a wilder kiss.  
 And Albert too—he had none else to share  
 His lonely bosom's solitary prayer;  
 He had no thought on earth, or hope above,  
 Beside her safety or beyond her love:  
 They seem'd two stray links from a chain unknown,  
 Created, living, for themselves alone;  
 Condemn'd, with every other boon denied,  
 To share such love as none have known beside.

Printed in the *Literary Gazette* for January 9th 1819.

Though there is a certain poetical charm—both in sentiment and in expression—in all these poems, Knowles's reputation rests entirely on the first, *The Three Tabernacles*. Dr. Garnett wrote<sup>1</sup>:—

It would be difficult to overpraise this noble masterpiece of solemn and tender pathos, exquisite in diction and melody, and only marred by the anticlimax of the last stanza, fine in itself, but out of keeping with the general sentiment of the poem. If this had been omitted and the two preceding stanzas transposed, the impression would have been one of absolute perfection. Even as they stand the stanzas are unparalleled as the work of a school-boy for faultless finish and freedom from all the characteristic failings of inexperience. This extraordinary maturity discriminates Knowles from other examples of precocious genius, such as Keats, Blake and Chatterton, and insures him a unique place among youthful poets. His intellect must have been as active as his emotional nature; and even had the poetical impulse deserted him, he could not have failed to achieve distinction in some manner.

Southey gave this as his opinion of the *Lines*<sup>2</sup>:—

The reader will remember that they are the verses of a school-boy who had not long been taken from one of the lowest stations in life, and he will then judge what might have been expected from one who was capable of writing with such strength and originality upon the tritest of all subjects.

<sup>1</sup> *D.N.B.*, xxi, p. 297.

<sup>2</sup> *Quarterly Review* (1819), xxi, p. 397.



# THE BATTLE OF WINWAED and THE SUTTON HOO SHIP BURIAL

BY J. W. WALKER, O.B.E., F.R.C.S., F.S.A.

The following notes are entirely compiled and mostly in the words of articles in *Antiquity*, vol. xiv by Professor H. Munro Chadwick, *The Antiquaries Journal*, vol. xx by C. W. Phillips, M.A., F.S.A., of Selwyn College, Cambridge, and *The Sutton Hoo Ship Burial* by R. L. S. Bruce-Mitford, F.S.A., Assistant Keeper in the Department of British Antiquities, British Museum, by whose kind permission I am enabled to write these notes.

On the sandy heath, covered with turf and bracken, that lies between the estuary of the river Deben, Suffolk, and the sea six miles to the east, is a group of eleven barrows. They are situated on the east bank of the river, opposite the town of Woodbridge, on the crest of a 100 ft. escarpment. They overlook the tidal waters of the estuary, and at high tide are half a mile inland.

The large barrow of this group seemed to indicate the burial-place of a native royal family of East Anglia, who must have had an important residence within a short distance. Bede (*Ecclesiastical History* III, 22) mentions "the town belonging to the king Ædilwald, king of the East Angles, which is called Rendloesham, that is Rendil's dwelling." Rendlesham lies on the river Deben, less than four miles north of this barrow, and is the place where a silver crown, weighing sixty ounces, was dug up in 1687.

In 1939 excavation of the large barrow was begun by Mr. Basil Brown, under the direction of Mr. Guy Maynard of the Ipswich Museum. The excavators soon realized that something important lay beneath; the British Museum and H.M. Office of Works were asked for advice as to future procedure. As a result work was continued under the direction of Mr. C. W. Phillips, M.A., F.S.A., of Selwyn College, Cambridge.

When excavated the Sutton Hoo Ship was found to be a great open rowing-boat, some 80 ft. long; its greatest beam 14 ft. and its depth amidships 4 ft. 6 in. The prow rose to a height of at least 12½ ft. above the level of the keel-plank amidships, and the ship drew 2 ft. of water.

It was clinker-built without permanent decking, and there is no indication of mast or sail. It was probably steered over the stern by a large paddle, and was driven by thirty-eight oarsmen. The ship was not new when buried for it had at some previous time suffered damage and been repaired.

As the excavation went on it became apparent that the burial belonged to the earlier Anglo-Saxon age, and was of a kind unparalleled in British Archaeology. It comes to us from a period of our

history whose archaeological remains are imperfectly recorded, and therefore ranks as the most important, indeed the only monument of our sixth and seventh century pagan ancestors that has yet come down to us. It was the richest treasure ever dug from British soil, and one of the most important historical documents yet found in Europe for the era of the migrations of the Teutonic peoples, in which the settlement of England by the Saxons was an episode.

The Sutton Hoo Ship must have been hauled overland half-a-mile from the estuary, then up one hundred feet to the edge of the escarpment, pushed and pulled forward on rollers, for which purpose a considerable labour-force must have been employed. On the escarpment a trench was dug to receive it, the ship was then lowered by ropes slowly and evenly into the trench, an operation requiring great skill and care if it was to sit on an even keel and not to have its back broken during its descent.

When the ship was safely deposited within the trench a burial chamber strongly constructed of planks was built over it and across the ship,  $17\frac{1}{2}$  ft. long with a high-pitched gabled roof, its eaves resting against the gunwales of the ship.

The objects found within this burial-chamber rested directly on the bottom of the ship, and are useful things intended for the convenience of the dead person in his life beyond the grave, where, in the pagan view, the individual's needs would be the same as in this life. He would travel to the next world in his ship, and would need money, armour and weapons.

Among the personal objects were the dead man's helmet of iron enriched with gold and silver, the silver crest grooved in chevron pattern, with bronze eyebrows inlaid with silver wire. Each eyebrow terminates in a small gilt-bronze boar's head, and the under-edge of each brow is picked out with a line of small square-cut garnets; but the most striking feature was an iron visor in the shape of a mask, consisting of a gilt-bronze nose in full relief, the upper lip furnished with a close-trimmed moustache; the silver crest passes over the head from front to back from between the eyebrows to the nape of the neck and terminates at either end in a gilt-bronze animal head with large gnashing teeth and garnet eyes. There were also ear-guards hanging down on each side.

This helmet is a most decorative object, unique in Saxon archaeology, with panels depicting armed warriors in battle scenes and god-like figures.

A large circular shield, the rotted wood of which survived in patches of wafer thinness, was of a diameter of 33 in., on the front of which was a massive bronze boss with five large domed rivet-heads on flange; on the front the uppermost fitting was the figure of a bird of prey on the wing; the projecting crest at the back of the bird's head is in the form of another bird or dragon-head, and a simplified human face appears in the garnet inlay in a pear-



shaped field on the bird's hip. Below the boss is a dragon-like creature with fierce teeth and four pairs of legs or wings.

The boards of the shield were covered front and back with leather on which the various fittings rested.

This shield was undoubtedly a family heirloom before it was placed in the burial chamber.

The sword has been a splendid object: its length is about three feet. The hilt has gold mounts rivetted to it, but is actually of iron, which must once have had a horn or wood grip round it, and the pommel cap is encrusted with garnets and enriched with gold wire. The grip has a number of gold filigree mounts; a short way down the scabbard are two fine hemispherical gold knobs of garnet cloisonné set side by side.

Disposed on each side of the sword were two exquisitely fashioned flat-topped pyramidal gold mounts with slotted bases. They are jewelled on their faces with garnets in a cloisonné setting and were probably attached to the sword knot. The material of the scabbard is wood.

Fragments of a shirt of mail were found, also the heads of four iron spear-heads, three iron ferrules of spears, and an iron axe with haft of the same material.

In addition to the armour and weapons the most gorgeous find is that of the gold-framed lid of a purse jewelled with bars and panels of garnets and mosaics enriched with filigree bindings, which had contained forty Merovingian gold coins and two small ingots of gold. There were also gold clasps and buckles, silver dishes and spoons, bronze bowls and cauldrons, bottles and buckets.

Such a wealth of gold has never before been found in a Saxon grave. Some of these objects, especially those of gold were of local manufacture, and these are artistically by far the best; their marvellous workmanship proves the existence of an hitherto unsuspected local East Anglian school, and the goldsmith who made these objects was one of the greatest the Teutonic world of the Dark Ages produced.

What was the date of this burial, and to whose memory was this cenotaph raised?

Mr. John Allan, Keeper of Coins and Medals in the British Museum, has identified a coin of the Merovingian King Dagobert I (A.D. 628-638) amongst the coins in the purse at Sutton Hoo, which rules out the possibility that the cenotaph commemorates Redwald, King of the East Saxons, who died before 626.

In Mr. Allan's view "we are certainly on the safe side if we say that the hoard of coins was put together after 650, but I have little doubt the date is nearer 670." Others of the coins bear degraded versions of innovations in currency design introduced after A.D. 630 by the Frankish goldsmith and mint-master Eligius, who became a bishop and was canonised.

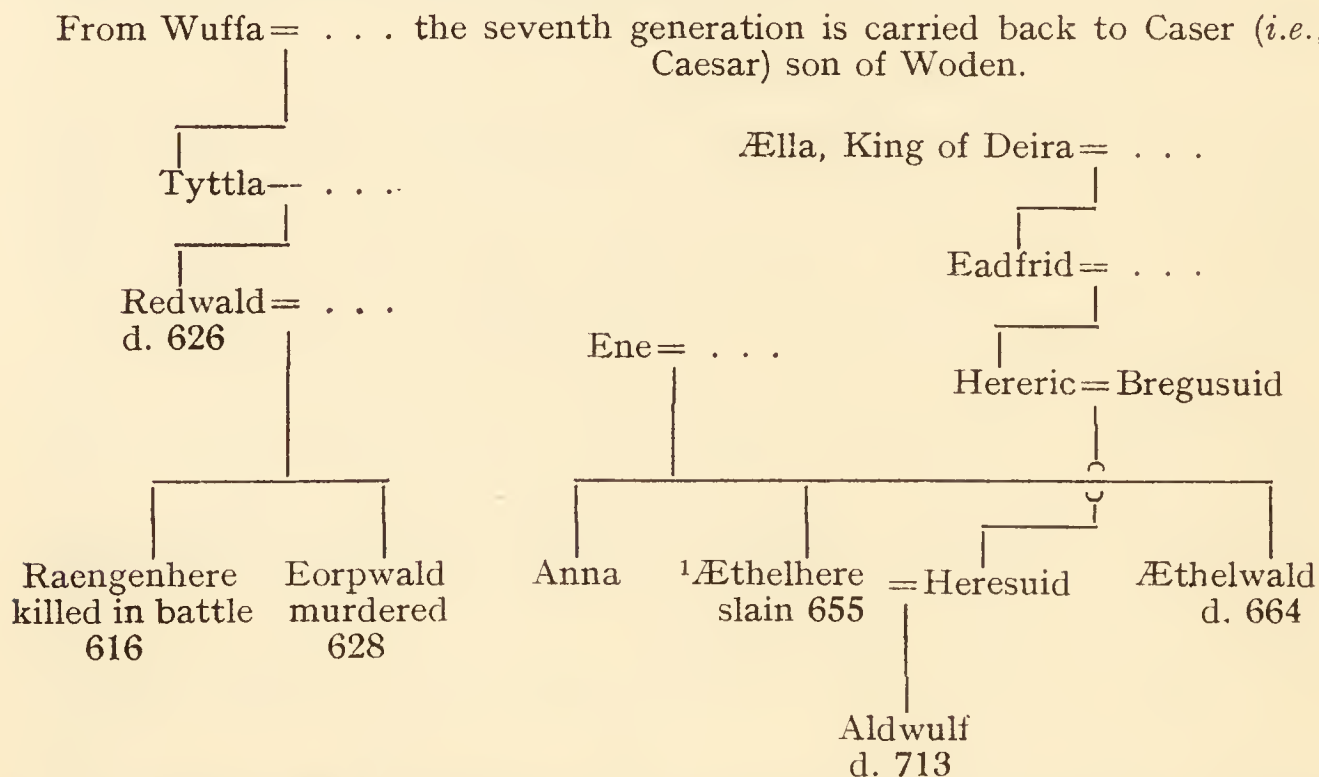
If the coins came together in the Sutton Hoo purse after 650 the burial also must be after that date.

Eorpwald the son of Redwald was persuaded by Edwin of Northumbria in 627 "to leave the superstitions of idols, and together with his province to receive the faith and sacraments of Christ" (Bede II, 15); soon afterwards he was killed by Penda, King of the Mercians (Bede III, 18); then the kingdom came into the hands of his brother Sigberct, a Christian, who, also, was killed by Penda in 636. These two kings were succeeded by Anna, also a Christian, likewise killed by Penda and buried at Blythburgh in 654.

The Sutton Hoo burial was almost certainly a pagan memorial, thus we may rule out any of these three Christian kings as being commemorated.

This leads to the conclusion that this cenotaph was raised to commemorate the next king of East Anglia, Æthelhere. As will be seen from the subjoined pedigree he was the second son of Ene and younger brother of Anna who preceded him as king of East Anglia, but elder brother of Æthelwald who succeeded him in 655.

The East Anglian royal family were called Wuffingas, and the genealogy may be given as follows :



Æthelhere was probably brought up as a Christian with his brothers Anna and Ethelwald. He married a Christian wife Heresuid, the daughter of Hereric, son of Eadfrid and grandson of Ælla, King of Deira, and sister of St. Hilda. Heresuid was also cousin to Oswy, King of Deira; by her Æthelhere had a son Aldwulf, who on pure legitimist principles as the eldest male heir of the royal house of Deira was the rightful occupant of the throne of the Deiras, then occupied by Oidilwald, son of St. Oswald.

<sup>1</sup> From this pedigree it will be seen that I was mistaken when writing *The Battle of Winwaed* in following the genealogy given in the *Textus Roffensis* and Nennius, *Historia Britonum*, by naming Æthelric as the husband of Heresuid. Florence of Worcester was undoubtedly correct in naming Æthelhere as Heresuid's husband.



It may have been to persuade Penda, the pagan king of Mercia, to champion the cause of his son Aldwulf to the throne of Deira, that Æthelhere lapsed into paganism, and it was probably on this ground that his wife Heresuid left him in 647 to become a nun at Chelles near Paris, subsequently becoming abbess there.

Penda, though eighty years of age, joined his forces with those of Æthelhere, Oidilwald, King of East Deira, who had the best hereditary claim to the throne of the Bernicians, on which in his minority, his uncle, the powerful Oswy, had been placed; with these three confederate kings came Catbagail, King of Gwynedd, and with him thirty British princes to fight against Oswy.

Thus, as Bede says, Æthelhere was the originator of the war. (*Auctor ipse belli*. Bede III, 24).

Then the long struggle between paganism and Christianity entered its final stage. On the death-agony of the ancient faith, still enshrined among us by lingering superstitions, history is comparatively silent.

At the battle of Winwaed, fought November 15, 655, Æthelhere and Penda<sup>1</sup> were slain, each dying a warrior's death, and passed to their Valhalla.

Æthelhere's body was never recovered, and was probably carried away by the tumultuous waters of the river Winwaed which "by an inundation of rains had widely overflowed its channel and even all its banks; thus it happened that the water destroyed many more in the flight than the sword in battle."

No trace of a human body was found within the burial chamber of the Sutton Hoo ship; there was a complete absence of any of the smaller and more personal objects which would have accompanied a body in the grave.

The body of a dead king might have been expected to produce some of these things, he might have been buried with his ring on his finger, his pendant about his neck, and his wrist-clasps in position. Besides these his clothing and his shoes would have been fitted with small metal tags which would have survived.

The person commemorated was a man; this is placed beyond reasonable doubt by the presence of armour and weapons.

The unsurpassed richness of the grave goods leaves no doubt that the burial was that of a royal person, and that the owner of the treasure was the king in whose dominion the cenotaph lay.

Thus we are compelled to regard the whole grave as a memorial in honour of a king whose body was never recovered for burial.

Æthelhere seems to be the only possible candidate among the East Anglian kings at so late a date. He was evidently a person of consequence, who, although he only reigned one year, showed himself a man of policy and personality, and left a mark in the pages of Bede.

<sup>1</sup> Bede III, 21, 24.

Allowing some time after Æthelhere's death on November 15, 655 for the news to reach East Anglia, and for his death to be established beyond doubt, and further time for the preparations for the funeral, early in 656 is a more likely date for the ceremony than the end of 655.

It may be that Æthelhere's Christian brother and successor, Æthelwald, with the tolerance that characterized the conversion, respected Æthelhere's pagan belief and wishes regarding his entry into the future life, and felt that the old family heirlooms had a pagan taint, and that the treasury, having been spared the drain of pagan funerals for the last three kings could well stand the loss, so that in burying them with his brother, he felt himself presiding at the winding up of the pagan age.

Thus the most elaborate and extravagant of the long series of burials in the pagan manner was the last. The greatest pagan mausoleum known to British archaeology was erected within nine years of the Synod of Streanœshalch (Whitby) presided over by Hilda, the sister-in-law of Æthelhere the pagan.

My sincere thanks are due to Mr. R. L. S. Bruce-Mitford, F.S.A., Assistant Keeper in the Department of British Antiquities in the British Museum, for reading and making corrections in the manuscript of this article.

All who are interested in this subject should obtain *The Sutton Hoo Ship Burial*, with its very full account, splendidly illustrated by 24 full-page plates and 18 line-drawings, at a cost of three shillings, plus postage, threepence, from the Publications Department, The British Museum, London, W.C.1.



## THE SITE OF ROBIN HOOD'S GRAVE

BY W. B. CRUMP, M.A.

In Mr. J. W. Walker's recent exhaustive paper on "Robin Hood Identified"<sup>1</sup> one statement in the ballads is passed over without elucidation. The Sloane MS., e.g. (quoted on p. 37) states: "and she buryed him under a greate stone by the hy waye's syde." Again the ballad quoted on p. 39 describes his grave as "Close by the highway side."

Where was this medieval highway? It certainly is not represented by the modern road between Mirfield and Elland which runs in the valley near the River Calder and is at some considerable distance from Robin Hood's grave on the hill-side. The answer is given in a note written for me by the late George Hepworth, a well-known architect and surveyor of Brighouse. When I came across it about a year after Mr. Walker's paper was published I sent it to Mr. Walker who desired me to make use of it and clear up the problem. So I now quote the major part of the "Notes."

### NOTES ON THE ROAD CALLED "ELLAND AND OBELISK TURNPIKE ROAD."

BY GEO. HEPWORTH—FEB. 18th, 1923.

"An ancient highway formerly led from the Obelisk called "Dumb Steeple"<sup>2</sup> (probably a corruption of "Doomed Steeple," the bounds of sanctuary of Kirklees Nunnery) and skirted along the brow of the hill past the site of the Roman encampment and Robin Hood's grave, and continued along through that part of the wood called the "Terrace" until it reached the old Entrance Lodge, near the village of Clifton. Passing the front of the Lodge, the road then turned to the right, and went across what is known by the name "Wood Fullans," and joined the lane called "Bleak Law Lane" about a furlong above the group of cottages known as "Bleak Law" . . .

"This ancient highway was shut up and discontinued as a public road, being rendered useless after the making of the Elland and Obelisk Turnpike Road, which was constructed in the year 1815. The land occupied by the old road became the sole property of, and rested in Sir George Armytage, Bart., the owner of the adjoining grounds. The track of this ancient road may still be traced on the spot, and is shown on the Ordnance Map of the district (6 inch Ord. maps Nos. 246 and 231 published in 1854)."

"Reference is no doubt made to this road in the Sloane MS. on the death of Robin Hood, where the prioress after "letting him bleed to death, buried him under a great stone by the by-wayses syde."

A few comments and additional facts may be given with advantage. The highway in question, called on the six-inch map, "Nun Bank Lane" entered the estate of Kirklees at the Obelisk or Dumb Steeple, which still stands at what is now a busy road

<sup>1</sup> *Y.A.J.*, xxxvi, 4-46, 1944.

<sup>2</sup> Dumb Steeple is at the corner of sheet 247.

junction midway between Cooper Bridge (over the Calder) and the "Three Nuns." It was always unfenced and therefore in mediaeval times it would be little more than a riding track or cart road whose course might vary as it ascended the slope. Probably it was only stabilised and its surface improved when John Armytage (or his son John) made it the approach to his newly-built Kirklees Hall and erected what is now the Old Lodge and wrought-iron gates at the entrance to his park. Either before or soon after the year 1600. A little beyond this point the highway passes the pinfold and enters the village of Clifton. Hepworth's lane to the right leading to Bleak Law may be disregarded for the real continuation of this highway is straight on along the village street until at the far or west end it enters the ancient Leeds and Elland highway less than a mile above Brighouse.

To return to Robin Hood's grave. Its distance from Nun Bank Lane, as measured on the six inch map is 66 yards as compared with 166 yards down to the turnpike road. A grave at a distance of only three chains from the highway may be reasonably regarded as near it. Especially is this so in comparison with the Gatehouse which is nearly half a mile from the highway. It is quite natural for the ballads to describe the site of Robin Hood's grave as "nigh the hye waye's syde." In the large map of the County of York by Thomas Jefferys (the first to show either the grave or the highway) "Robin Hood's Grave" is drawn so prominently on plate xii (dated 1771) that it touches the highway.



## ROMAN YORKSHIRE.

EDITED BY MISS D. GREENE.

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### TWO ROMAN SHRINES TO VINOTONUS ON SCARGILL MOOR, Near BOWES.

#### I. THE SHRINES.

In September, 1945, when the writers, on behalf of the Durham University Excavation Committee, first undertook on Scargill Moor the systematic exploration of a Roman shrine with an altar still in position, the existence of a second Roman building had been suspected and established. A year later, this building was defined as a second shrine of circular plan and a second altar was found inside it. But at that time unbroken rain prevented a thorough excavation and the final investigation of the site (fig. 1) was not undertaken until April, 1947, when the weather was comparatively better, if still very squally and cold.

The second shrine (fig. 2) proved to be in many respects more rewarding than the first. It was of more interesting architectural form, being circular in plan, and its area was larger, the shrine having a diameter of 17 feet. The altar which it contained, described in detail below (pp. 113-114), was better preserved and finer in quality. The masonry of the shrine itself was also better preserved, even though stone robbers had reduced it to a maximum height of 2 ft. 3 ins. above floor level, while erosion by the East Black Sike had combined with them in an almost total removal of the front tip of the circle and the remains of the entrance (Pl. II). The ring of walling was from 2 ft. 1 in. to 2 ft. 5 ins. thick, composed of rubble set in well-puddled local clay, contained between two faces of hammer-dressed masonry in coursed blocks about four inches high by nine inches long. Within the shrine, the wall possessed a platform or offset, built as a distinct unit 1 ft. 5 ins. to 1 ft. 9 ins. wide and roughly faced with slabs or blocks, its top being level with the floor of the shrine. It appears to have served as a sort of platform or shelf for dedications. The floor of the shrine, which lay 2 ft. 6 ins. above the natural valley-floor, was made up with a five-inch pack of clay and broken stone, contained within the ring of walling. There was, it seems, no regular paving, for a relatively undisturbed burnt occupation-layer, containing pottery and coins, covered it. Disturbances had, however, occurred. As will appear in greater detail in the account of the inscribed and sculptured stones (p. 113), there was a wholesale breaking up and robbing of all portable large stones, and those which had not proved portable were much disturbed. The great primary dedication had been

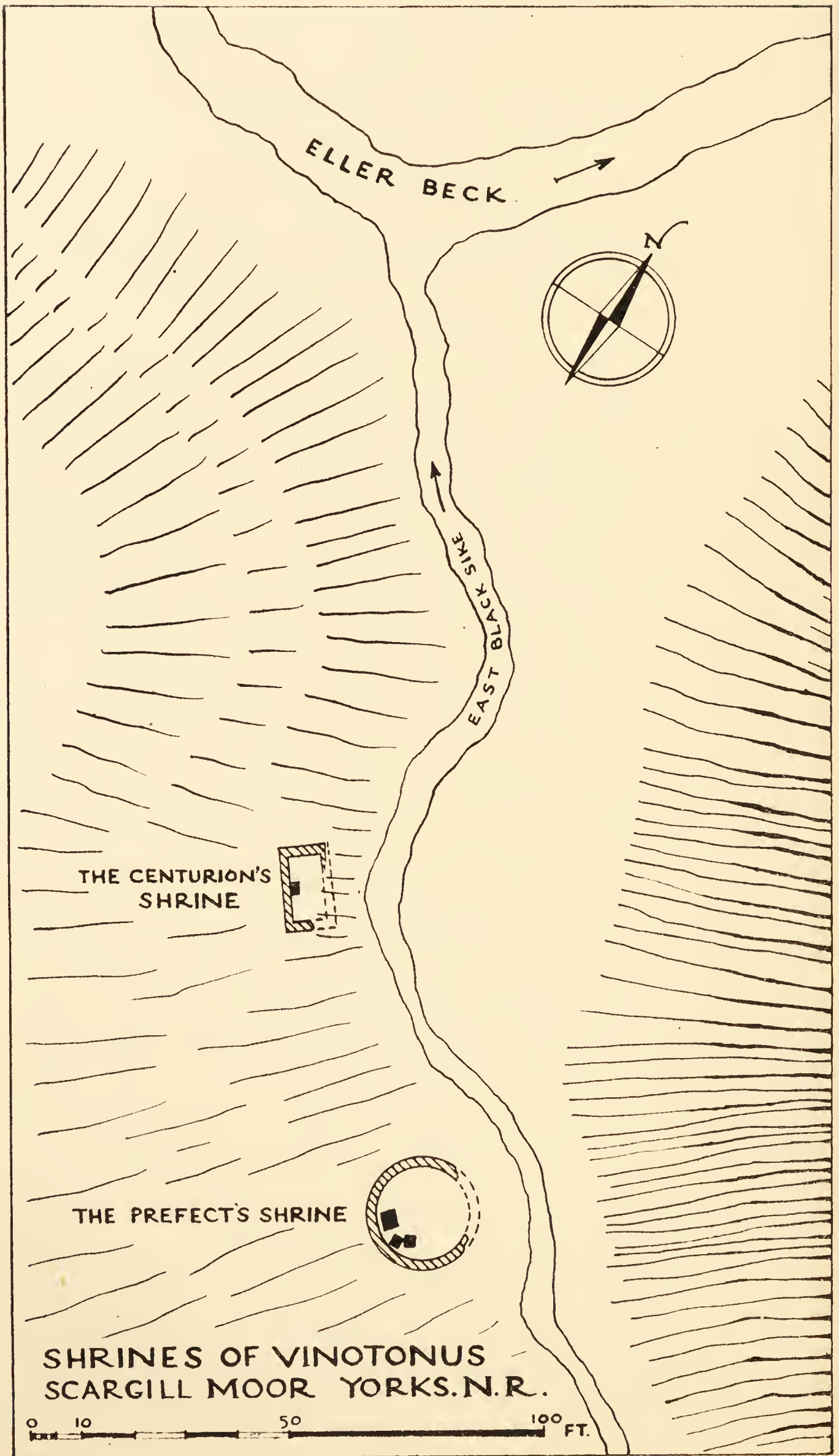
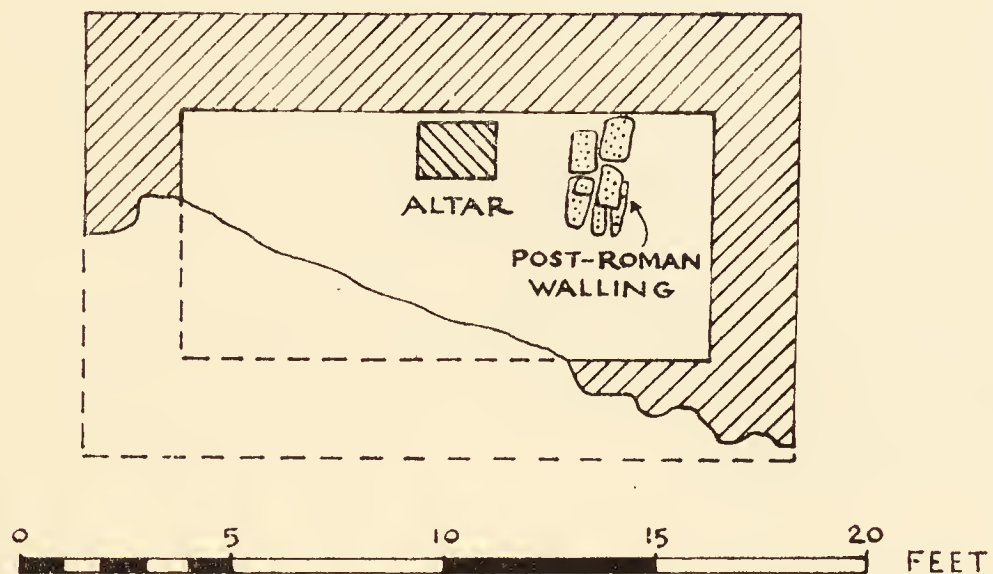


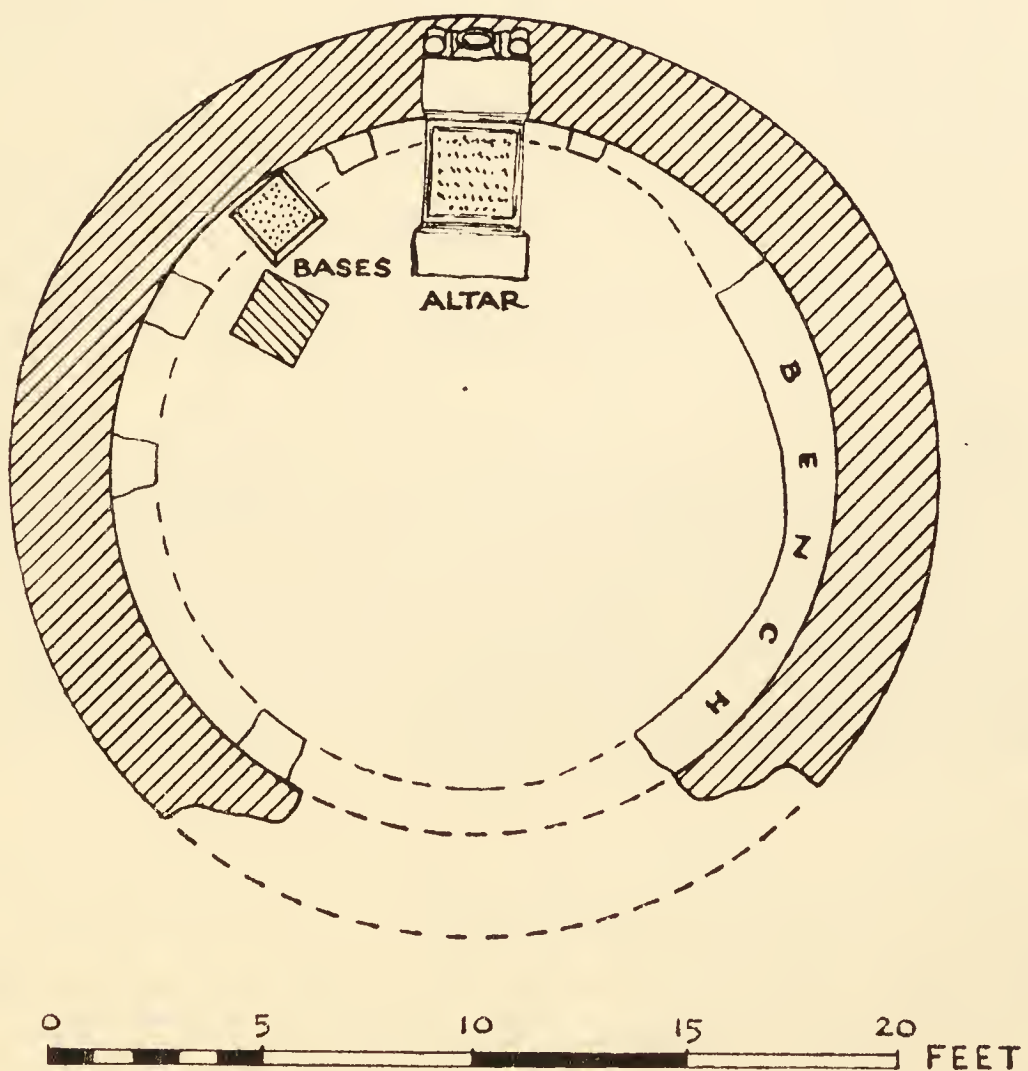
FIG. 1



# THE CENTURION'S SHRINE



# THE PREFECT'S SHRINE



R.P.W.

I.A.R.

FIG. 2

levered forward on its base so that it lay tilted backwards against the wall of the shrine, which had been brought down in ruin by being used as a fulcrum for levering the stone out of position. The left-hand side and the top of the altar had then been attacked with heavy blows and considerable damage had ensued. To the south of the main dedication, two bases for altars had respectively been turned upside down and slewed out of position. When all this heavy damage took place is uncertain, except that it occurred in post-Roman times, after the destruction of the shrine by fire. It may, in fact, belong to comparatively modern times, but we have no means of ascertaining when.

The finds which the building yielded represent in the first place not less than seven altars, the main one (Pl. I) virtually complete, the others represented by fragments which indicate that they were of smaller scale. In addition there is part of a sandstone slab or tablet. The two altar bases must be added, but may of course have belonged to any two out of the six fragmentary altars. Such a wealth of dedications, six at least in addition to the primary altar, would suggest a prolonged popularity of the sanctuary: and this is borne out by the coins and pottery. The coins comprise a *sertertius* of Nerva (A.D. 96-98), in much worn condition, and a fairly fresh *denarius* of Hadrian, with the reverse of *Libertas publica*, struck in A.D. 119-122. The latter coin at least is not likely to have been circulating far into the third century. The pottery, on the other hand, runs on to the end of the third century and probably into the fourth, a verdict in which Mr. Eric Birley concurs. It includes the rim of a typical early fourth century cooking-pot and two vesicular cooking-pots which may well be no earlier, though the more informative mortaria are unfortunately lacking. There are also the rims of a Castor ware beaker and of two fine glass vessels of similarly late style. The yield (fig. 3) is thus significant, though very small: it compares ill, for example, with that of the much frequented shrine of Coventina at Carrawburgh. But the cult plainly endured for a century or more and an attempt must be made to assess its nature and significance.

There were two shrines, the first and larger erected by the commandant of the First Cohort of Thracians, the second and smaller by a centurion of the same unit. Both lie close together (fig. 1; Pl. III) on the bank of the brawling East Black Sike, which drains from the south a very wide basin bordered on the skyline by the long ridge known as White Crag. This crag was almost certainly the source of the sandstone and millstone grit employed for the dedications, and long disused quarries of considerable size are to be seen on its face at the head of the stream. The stream, however, is manifestly the feature with which the shrines are connected. Both are in the closest possible contact with it, at the point where it attains its maximum size and force. It can, in fact, hardly be doubted that *Vinotonus* is the name either of the stream or the locality in which the stream took its source. The effect of the new





PLATE I *Photograph, R. P. Wright.*  
THE ALTAR IN THE PREFECT'S SHRINE, SCARGILL MOOR.









FIG. 3

Coarse pottery from the Prefect's Shrine ( $\frac{1}{2}$ ).

discoveries is to indicate that Vinotonus was *par excellence* the patron god of the two shrines, and that Silvanus is introduced only to explain him in Roman terms. The value of the equation with Silvanus is, however, great because it is the sole clue to the qualities with which the dedicators believed Vinotonus to be endowed. For example, in considering whether Vinotonus is a stream-god or a *genius loci* it may be said at once that a connexion with the locality is more likely, for Silvanus is always associated with a place rather than a stream. But as to his function in the place several lines of thought are possible, and are not mutually exclusive. Silvanus is normally linked with a place in his capacity as god of the wilds or as god of boundaries, where wild and cultivated lands meet. The basin of the East Black Sike (Pl. III) is in truth a very wild one, whose smile is rare and fleeting, and whose frown is habitual and forbidding. But the stream may also have marked the beginning of land beyond the fort's *territorium*, bounded perhaps by the Eller Beck. On the other hand, Silvanus was also patron of denizens of the wild, to be placated by those who disturbed them or invaded his domain and so became, by a natural extension of thought, patron of hunting. The isolated basin below White Crag would be an excellent secluded feeding ground of wild life, especially before sheep had eaten off the alders implied by the name Eller Beck. It was also an admirable natural corral (Pl. III) for hunters. The mouth of East Black Sike could by them be reached all unseen by game in the basin, and here could be made and paid the vows for a successful chase. This aspect of Silvanus would perhaps fit best the prolonged yet intermittent popularity of the shrines, just as it accords well with the rank and station of the founders thereof. Prefects and centurions were essentially the class to indulge in hunting and its expensive concomitants, among which shrines, veritable chapels of St. Hubert, were a prominent feature. This too is in the local fashion of Roman days. Neighbouring Weardale has yielded at least two examples of altars to Silvanus, one specifically connected with hunting, although there the associated shrines, if any, went unheeded. But the basic connexion of Silvanus is always with the wild, and this is no doubt the significance of dedications set up to him in the immediate locality of the two Scottish forts of Newstead and Bar Hill, perhaps to compensate for the disturbance to woodland which the foundation of the forts had involved. At Newstead he is closely associated with Diana by the same centurion dedicator, and this may cover hunting equally well, matching the dedication by the bear-hunters of Zürich (*ILS* 3267). What is much less common is to use Silvanus as the local interpretation of local deities. This happens at Housesteads, where Silvanus is equated with the North Cumbrian god Cocidius, and now on Scargill Moor where he emerges as the Roman interpretation of Vinotonus. On Scargill Moor the locality will certainly support the view that he was both god of the wild and patron of hunters, and it may be presumed that these were the qualities in Vinotonus which the equation was intended to convey.





PLATE II *Photograph, R. P. Wright.*  
GENERAL VIEW OF PREFECT'S SHRINE, SCARGILL MOOR.

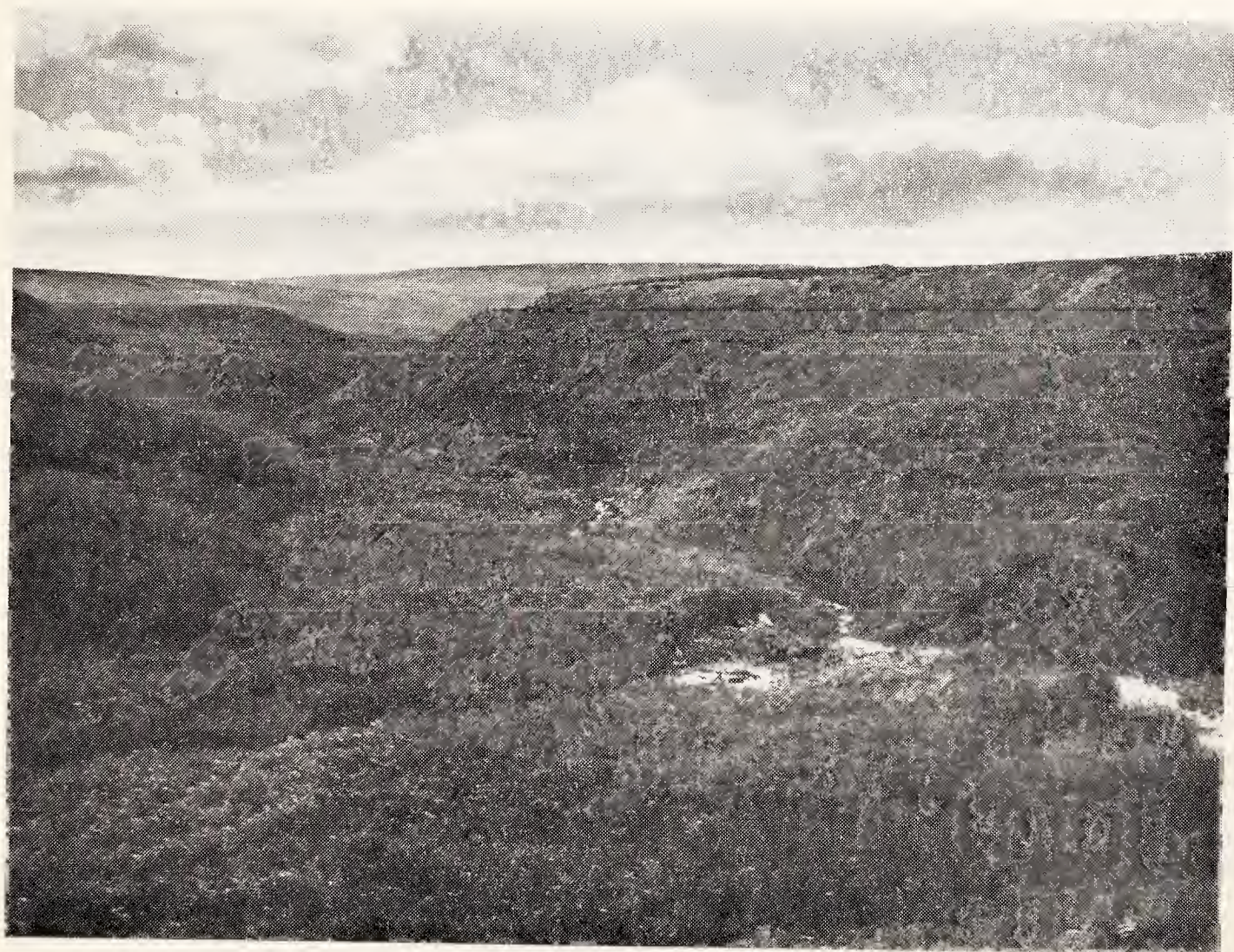


PLATE III *Photograph, T. Wake.*  
THE VALLEY OF EAST BLACK SIKE, WITH WHITE CRAG ON  
THE SKY-LINE.







If this reading of the evidence is correct, the shrines and their dedications give an interesting picture of a pastime followed by successive commandants and their staff. It is evident that hunting was one of their principal diversions and that a natural hunting ground might have shrines at its entry. In a definitely localised corral, such as Nature here provides, the local deity would be the proper *genius loci*, and his name would be derived from the most notable manifestation in the locality. Again there is no doubt as to the feature likely to be chosen. In the upland dominated by White Crag the outstanding feature is the stream which rises at the Crag itself and emerges in full power at the narrow entry to the basin. But only the Roman instinct for definition in religious worship allows us to go so far. Without his Roman interpretation as Silvanus, Vinotonus would have had only position, like a point in Euclid. The definition, however, is not due to the commandant of the cohort, who dedicated the principal shrine and who was presumably no less impressed than every modern visitor by the wild grandeur of the scene over which Vinotonus presided. We owe it to the centurion, who dedicated a subsidiary shrine and stated in blunt Roman terms the quality in Vinotonus which he worshipped.

The architectural form of the shrines is of the simplest possible pattern, and there is no evidence that they were highly decorative buildings. Indeed, so rustic a god as Silvanus might be expected to favour a simple shrine. In Britain groups of this kind are hitherto lacking for the open countryside, and, since they owe their discovery to chance, they are not common in any province. But Koethe, in his study of Celtic round and polygonal temples of the Roman Imperial age (RGK Bericht, xxiii, 104-105) cites two Gaulish groups, in the Forêt de Cheminot (Moselle), south of Metz, and at Chanteroy, near Dampierre (Haute Marne), which bear some comparison to Scargill Moor. The first comprised three rectangular shrines and one circular shrine: the second seven rectangular shrines and three circular ones, all of the same simple type without surrounding verandas or colonnades. Both groups come from wild districts and both reflect, as at Scargill Moor, the simple taste attributed to sylvan deities.

## II. THE INSCRIBED AND MOULDED STONES.

### A. ALTARS.

- (i) In the Prefect's Shrine the main discovery was the large sandstone altar (Pl. I) which had formed the primary dedication. It was still in its central position at the back of the shrine, though tilted against the wall. The altar is 29 inches wide by 64 inches high by 17 inches thick. The face and sides of the capital have been roughly broken off by modern stone-robbers, but the focus is intact and on the left side a small area of chip-carving above two cable moulds survives to show that it was

once elaborately decorated. The damage, however, does not extend below the lowest moulding on the capital and the rest of the altar is intact except for some weathering on the left margin of the die. The sides are panelled and have, on the left, a jug and on the right a patera with ram's-head handle. The base is plain.

The inscription is in first-class lettering framed by a triple moulding; it reads:— (Note: In the numerals in 1.5 the vertical and cross-bar have coalesced, to make what resembles T).

DEO VIN  
OTONO  
L CAESIVS  
FRONTINVSPR  
AEF☞COH☞T-THRAC  
DOMO☞PARMA☞  
☞V☞S☞L☞L☞M

Deo Vin|otono | L(ucius) Caesius | Frontinus pr|aef  
(ectus) coh(ortis) | Thrac(um) | domo Parma | v(otum)  
s(olvit) l(aetus) l(ibens) m(erito)

'To the god Vinotonus, Lucius Caesius Frontinus, prefect of the First Cohort of Thracians, from Parma, gladly, willingly and deservedly fulfilled his vow.'

Thus, Frontinus commanded the First Cohort of Thracians, in which Julius Secundus, who dedicated the other shrine and altar, was at one time a centurion. The names of Frontinus can now be recognised on a fragmentary inscription<sup>1</sup> from Bowes, where the fort was garrisoned by this unit of Thracians from the beginning of the third century. The quality of the lettering on the Prefect's altar suggests that it would belong to the first half of that century.<sup>2</sup> Both in size and execution this altar ranks among the finest in Roman Britain and the information that Frontinus hailed from Parma, one of the wealthiest towns in Northern Italy, helps us to understand why the altar which he set up in this northern moorland should have been such a good one.

In addition to the main altar just described there were at least six other subsidiary dedications. A few fragments knocked off the capitals, or bases, of these altars showed that these more portable altars had been removed,<sup>3</sup>

<sup>1</sup> *CIL*, vii, 274.

<sup>2</sup> See *Y.A.J.*, xxxvi, 385.

<sup>3</sup> Search was made for these altars but no trace was found in either the neighbouring shooting-buttocks or the shooting-box or sheep-folds. It seems unlikely that they were carted across the Eller Beck to Farewell farm, one mile to the north-east, and highly unlikely that they were taken 1½ miles east-south-east to Spanham.



probably within the last two centuries, presumably by persons seeking stone, whereas the main altar had proved too massive and their damage was limited to the capital which may have been the only part then visible above ground. Dimensions are given in inches in the order of width, height and thickness.

- (ii) Fragment from the capital of a gritstone altar,  $10\frac{1}{2}$  ins. by 9 ins. by 3 ins., broken at the back, right side and lower edge. It carries DE(O) on the slightly convex moulding of the capital. Found in 1947 on the floor towards the front of the shrine. This represents a second altar.
- (iii) Part of the capital and left bolster of a gritstone altar, 10 ins. by 13 ins. by 5 ins., broken at the back, right margin and lower edge. The capital is inscribed D(eo) in large lettering. Found in 1946 near the main altar, and representative of a third dedication.
- (iv) Upper part of a sandstone altar, 12 ins. by 14 ins. by 10 ins., with back rough. The moulding on the left side of the capital survives, but the right side has been cut away vertically, probably to halve the stone. Most of the die has flaked away, but part of a V survives where the fourth letter would come: it may be restored (Deo)V(. . .). Found in 1947 in debris on the floor of the shrine. This is a fourth altar.
- (v) Sandstone fragment, 5 ins. by 6 ins. by 4 ins., from the right margin of an altar; the edge is bevelled and part of the right side survives. It reads . . . )M, and, judging from the splay of the side, comes from the last line of an altar. We may restore (V S L )M. Found in 1946. This certainly represents a fifth altar, but it may possibly be connected with two other sandstone fragments, to judge by the type of stone and the general proportions.
  - (a) Left-hand bolster, 5 ins. in diameter, 6 ins. deep, broken off the front of the capital.
  - (b) Part of the base, in two pieces which join, 17 ins. by 11 ins. by 7 ins., with mouldings surviving on the right side. The main part was found in 1946 near the top of the main altar, the flake was found unstratified in 1947.
- (vi) Small bolster broken off either the left or right side of a gritstone altar,  $4\frac{1}{2}$  ins. in diameter, 2 ins. thick; found in 1947. It is decorated with a rosette, and cannot be connected with other gritstone fragments. It is therefore the remains of a sixth altar.
- (vii) Sandstone fragment, 9 ins. by  $5\frac{1}{2}$  ins. by 9 ins. from the top of a moulded altar. The left side is dressed and has one groove to mark the end of the capital. This also

cannot be connected with other fragments in our possession and thus represents a seventh altar.

#### B. OTHER CARVED STONES.

In addition there are two bases, which may have held any two out of the six fragmentary dedications. The first is a socketted sandstone base, 21 ins. by 8 ins. by 18 ins., with a socket  $1\frac{3}{4}$  ins. deep; the raised rim does not continue along the back. Found in 1947 upside down on the floor of the shrine three feet south-east of the main altar. It would take an altar  $13\frac{1}{2}$  ins. wide and 13 (or more) ins. The second is a rectangular sandstone block, presumably a base,  $19\frac{1}{2}$  ins. by  $7\frac{1}{2}$  ins. by 16 ins., found in 1947 on the floor of the shrine between the main altar and the socketted base.

There remains a sandstone slab,  $5\frac{1}{2}$  ins. by 8 ins. by 3 ins., with two incised lines meeting at right angles, apparently from the corner of a panel or tablet. It should be compared with the example found in 1945, dissociated from the shrines (see *Y.A.J.*, Vol. 36, p. 386).

In conclusion, warmest thanks are due to the Ecclesiastical Commissioners for permission to examine this most interesting site and to the tenant of Spanham farm, Mr. William Wilkinson, and the shooting tenant, Captain Hubert Bigge of Melsonby, for their consent. We also owe a special debt of gratitude to Mr. G. E. Fawcus, Treasurer of Durham Colleges, for the loan of labour, without which the work could not have been done, especially under the difficult conditions of weather and accessibility. Mr. Thomas Wake, of the Bowes Museum, Barnard Castle, has kindly put at our disposal his general view of the site in very typical weather conditions, and for this we tender our best thanks, and those of the Durham University Excavation Committee to all concerned.

I. A. RICHMOND AND R. P. WRIGHT.

### NORTH RIDING.

#### SEAMER.

Mr. T. L. Gwatkin, Deputy Curator, Scarborough Museum, reports the finding of a roughly rectangular enclosure with a V ditch, yielding a sword, tongs, and Roman pottery. Also within the enclosure appeared Roman querns.

#### STAXTON.

Mr. Brewster reports a 1st-2nd century occupation site on which appeared a coin of Vespasian, a La Tene brooch, some Terra Sigillata, iron knives, spears, etc.

#### THORNABY-ON-TEES.

A small bronze coin found by Mr. O'Connor, 27, Windsor Oval, Old Thornaby, in his front garden. Mr. W. V. Wade



identified this and says it is a small bronze of Claudius II (Gothicus) A.D. 268-70. It is a type issued in Alexandria and not frequently found in the Western Provinces of the Roman Empire.

Obverse : AYT K KΛAYΔIOC C&S (IMP. C. CLAUDIUS AUG) Bust of Claudius, wearing laurel wreath and drapery.

Reverse : L<sup>A</sup> i.e. first year of the reign. Eagle standing to right, head turned backwards, holding wreath in beak. Symbol like "L" represents "year."

This coin was found about  $\frac{1}{4}$  mile South of the River Tees, almost opposite the village school and 200 yards from Thornaby Road.

### **EAST RIDING.**

#### **NORTON Nr. MALTON.**

In December, 1946, Dr. Hodge, Director of the Leeds City Museum, reported Roman pottery and foundations had been discovered on a building site. Following this up Sir E. Whitley and Mr. Hayes approached the Town Council of Malton for permission to dig trial trenches. They found a section of a road running in the direction of Settrington. This was, unfortunately, an oblique section but it showed definite metalling and camber.

Also the trenches revealed a roughly paved floor of stone, 1ft. 8ins. below the surface, of which only about 22ft. by 10ft. or 15ft. could be revealed owing to modern drains, etc. Set into this floor were portions of two millstones, one of Niedermendig lava, as imported for the Roman Army. At a depth of 1ft. 4ins. dozens of pottery fragments appeared. These included one or two of Samian, some Crambeck and Knapton ware. Bones, nails, charred wood, also were found. Two coins, one of Valentinian II. Near these coins were found shards of a Huntcliffe type cooking pot. Burned limestone suggested the fate of the building to which the portion of floor was either the floor or a yard. The stonework ended in a narrow wall.

### **WEST RIDING.**

#### **DARFIELD.**

On the 10th January, 1947, while engaged in digging a man-hole on the North Street Housing Estate, James Fowler found a hoard of 481 Roman coins at a depth of 1ft. 2ins. The find was made at a point some 150 yards from the main Doncaster-Barnsley Road, and the coins were in a calcite-gritted pot, which was broken by the spade, but most of it was afterwards recovered.

The coins were all Roman denarii, ranging from the end of the 1st century B.C. to the first half of the 3rd century A.D., with one exception, namely, a double denarius or antoninianus of Caracalla (A.D. 198-217).

The find was reported to Mr. J. Baggaley, Director of the City Museum, Sheffield, who immediately got in touch with Mr. J. Allan, M.A., F.B.A., F.S.A., Keeper of Coins and Medals, British Museum. Mr. Allan has identified the coins and his list is appended.

The coins of the latest Emperors are in fine condition, and this appears to indicate that they were deposited in the jar about A.D. 250, not long after the reign of the last ruler represented, Maximinius (A.D. 235-38).

33 of the coins were selected by the British Museum, 30 specimens were sent to Darfield School Museum, and the remaining 418, with the pot, are now on view in the City Museum, Sheffield.

The Reverend Dr. Whiting, M.A., F.S.A., in making a report of this find to the Roman Antiquities Committee, pointed out that Abraham de la Pryme, in his Diary, notes that in 1680, a large pot containing Roman coins, some gold, were found at Darfield, apparently not far from the present site.

#### LIST OF COINS.

MARC ANTONY (32-31B.C.)	..	..	..	11
NERO (A.D. 54-68)	..	..	..	3
VITELLIUS (A.D. 69)	..	..	..	3
VESPASIAN (A.D. 69-79)	..	..	..	34
TITUS (A.D. 79-81)	..	..	..	8
DOMITIAN (A.D. 81-96)	..	..	..	2
TRAJAN (A.D. 98-117)	..	..	..	4
HADRIAN (A.D. 117-138)	..	..	..	8
SABINA (wife of Hadrian)	..	..	..	1
ANTONIUS PIUS (A.D. 138-161)	..	..	..	27
FAUSTINA I (wife of A. Pius)	..	..	..	9
MARCUS AURELIUS (A.D. 161-180)	..	..	..	8
LUCIUS VERUS (A.D. 161-169)	..	..	..	3
FAUSTINA II (wife of M. Aurelius)	..	..	..	7
LUCILLIA (wife of L. Verus)	..	..	..	1
COMMODUS (A.D. 180-192)	..	..	..	21
CRISPINA (wife of Commodus)	..	..	..	1
PERTINAX (A.D. 193)	..	..	..	2
CLODIUS ALBINUS (A.D. 196-197)	..	..	..	5
SEPTIMIUS SEVERUS (A.D. 193-211)	..	..	..	115
JULIA DOMNA (wife of S. Severus)	..	..	..	41
CARACALLA (A.D. 198-217)	..	..	..	60
PLANTILLA (wife of Caracalla)	..	..	..	2
GETA (A.D. 211-212)	..	..	..	24
MACRINUS (A.D. 217-218)	..	..	..	2
ELAGABALUS (A.D. 218-222)	..	..	..	37
JULIA MAESA (grandmother of Elagabalus)	..	..	..	7
AQUILLIA SEVERA (wife of Elagabalus)	..	..	..	1
SEVERUS ALEXANDER (A.D. 222-235)	..	..	..	28
JULIA MAMAEA (mother of Severus Alexander)	..	..	..	3
MAXIMINUS (A.D. 235-238)	..	..	..	3
TOTAL				481



## DONCASTER.

Mr. Norman Smedley, M.A., Director of the Doncaster Museum, reports that in June, 1947, the laying of a gas main rendered it necessary to cut through the Roman Ridge, just south of Highfields. Through the courtesy of the Manager of the West Riding Gas Companies, and the Engineer in charge, the Rev. the Professor C. E. Whiting and Mr. Smedley were permitted to follow the whole process of cutting the section, and the Borough Surveyor of Doncaster prepared a plan and section of the excavation. Sufficient evidence was forthcoming to justify the belief that this section of the Ridge was in fact, a road, possibly of Roman date, and that it is desirable to cut another section on the Ridge in a portion which has been less disturbed.

## ROTHERHAM.

In September, 1947, Mr. J. McKone found a Roman coin in Alpha Place, Herringthorpe, Rotherham. Alpha Place is a small collection of cottages, built about 1860, lying about  $2\frac{1}{2}$  miles to the eastward of the Roman Fort at Templebrough. The coin was a dupondius of Lucius Verus (A.D. 161-169)

Obv. . . . . VERVS.AVG.ARM.PARTH. (MAX).

Laureate head to R.

Rev. T R P.VIII. IMP. V. COS.III

Felicity seated to L., holding a cornucopia and caduceus.

The coin is now on loan to the Rotherham Museum.

In April, 1947, while engaged in an excavation of the linear earthwork, known locally as the "Roman Ridge," near Hill Top, Kimberworth, Mr. F. L. Preston and the Editor found a small fragment of the rim of a 3rd century motarium, hammer head type 3b. Now in Rotherham Museum.

## HALIFAX.

In April, 1947, a Roman coin was found at Savile Park, and is now in the Bankfield Museum, Halifax. Dr. C. H. V. Sutherland of the Ashmolean Museum, Oxford, identified it as a brass sestertius of Hadrian (A.D. 117-38), Mattingley and Sydenham: "Roman Imperial Coinage" II p. 437, no. 750 (e).

Obv. HADRIANUS AVG COS III P P

Laureate bust to R., with drapery on left shoulder.

Rev. FELICITAS AVG S C

Felicitas standing to L., holding branch and long caduceus.

Struck at the Mint of Rome A.D. 134-8.

The coin had been badly damaged by immersion in acid before it was brought to the Museum.

Mr. L. R. A. Grove, B.A., F.R.E.S., Curator of the Bankfield Museum, also reports that a Mr. Davies, brought for identification two coins, copper antoninianni, which he said had been

found at "Bramley's Farm, Sandbeck, near Maltby" and were part of a hoard recently discovered. These coins may be part of a hoard found at Folds Farm, Tickhill, in 1945-6. The hoard, which numbered some 1,203 coins, is now in Doncaster Museum and the find was reported in "Roman Yorkshire," *Y.A.J.*, part 144, vol. XXXVI, pp. 464-5.

Mr. Grove sent these two coins to Dr. Sutherland whose identification is appended :

- (a) Copper Antoninianus of Victorinus (A.D. 268-70) (Mattingley and Sydenham, "Roman Imperial Coinage," V(2), p. 397, no. 117 (with -PIAV- and bust (c)).

Obv. IMP C PIAV VICTORINVS P F AVG—  
Radiate bust to R., draped.

Rev. PAX AVG—  
Pax standing L., holding branch and sceptre.  
Mint mark VI (Cologne?)

- (b) Copper Antoninianus of Tetricus I (A.D. 270-3) (Mattingley and Sydenham, op. cit. V(2), p. 408, no. 90)

Obv. IMP TETRICVS P F AVG  
Radiate bust to R., cuirassed.

Rev. LAETITIA AVG N—  
Leatitia standing L., holding wreath and anchor.  
Struck in Gaul : Mint uncertain.

These two coins are characteristic of the flood of "Gallic Empire" coinage which entered Britain from c. A.D. 260 onwards, and was often hoarded. Coinage of this class provided models for local imitation. The coins were returned to Mr. Davies.

DOROTHY GREENE,  
*Hon. Editor.*



## TRANSACTIONS, Etc., OF YORKSHIRE SOCIETIES.

*Bronte Society Publications*, Vol. 10, pp. 286-287. *Charlotte Bronte as Governess*, by Mabel C. Edgerley.

*Bronte Society Publications*, Vol. 10, pp. 269-281. *The weary are at rest: a reconsideration of Bramwell Bronte*, by Thomas Olsen.

*Bronte Society Publications*, Vol. 10, pp. 284-285. *The Bronte-Heger Mystery; a step towards its solution*, by E. Percy Spielmann.

*Bronte Society Publications*, Vol. 10, pp. 263-264. *The Brontes in their books; extracts from an address given at the Bronte Society's Annual Meeting, April 7th, 1945*, by Desmond MacCarthy.

*Bronte Society Publications*, Vol. 10, pp. 265-268. *Ponden Hall and the Heatons*, by Mabel C. Edgerley.

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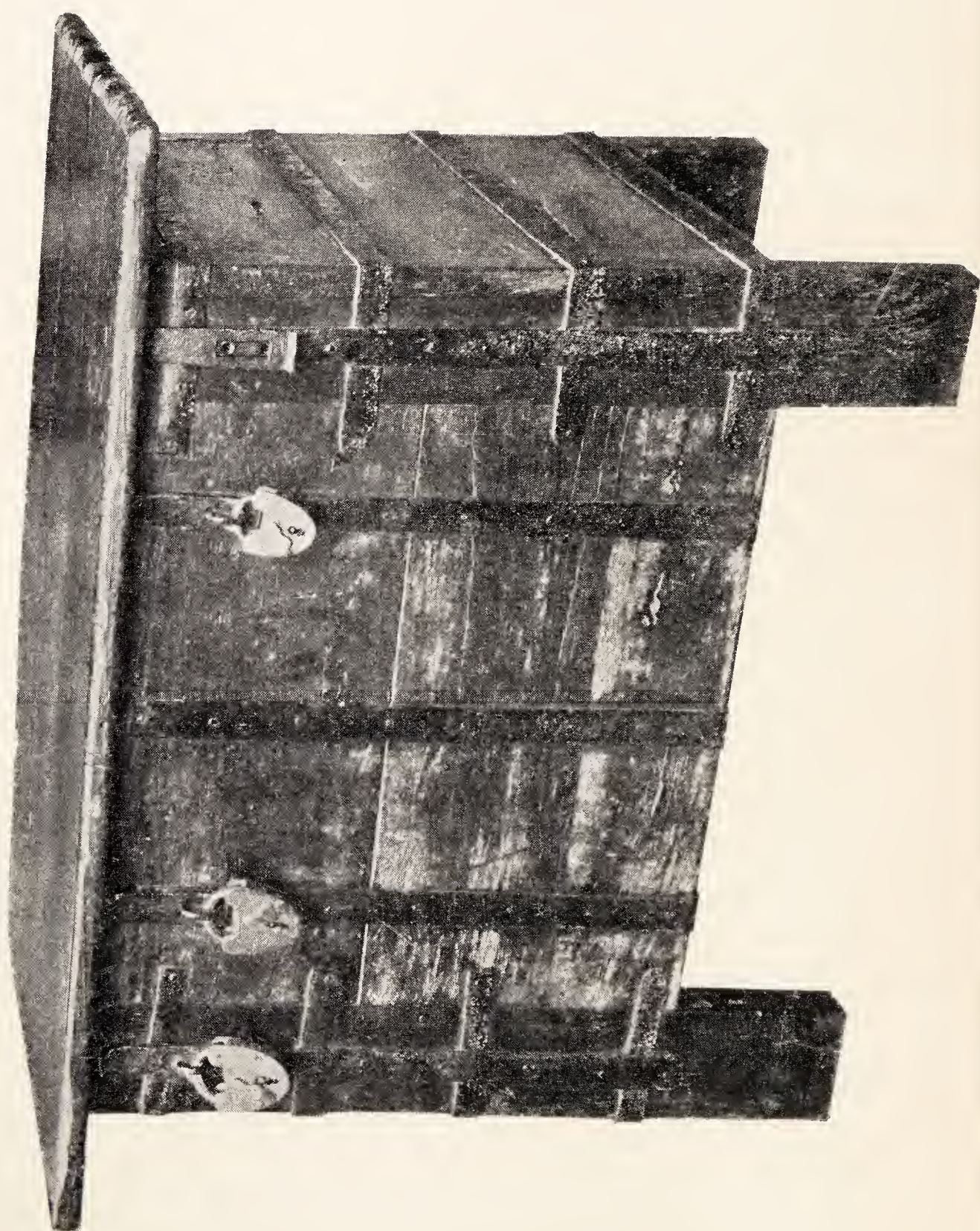
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THE  
Dorsetshire Archaeological Journal.

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EDITORIAL NOTES.

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A SEVENTEENTH-CENTURY MUNIMENT CHEST.

We give opposite a picture of the Muniment Chest of the Hipperholme Grammar School. Measuring 2ft. 9ins. high x 4ft. long x 2ft. 2ins. broad, it is strongly constructed of oak, with iron bands all round it, (on the under-side, in the case of the lid) and was probably made locally. It bears the date 1661, the year when the School was transferred to its present site, from Coley Church where it originally met, probably from 1530.

The chest has an interesting history. It had originally four locks of different sizes, the keys of which were held by four of the early trustees. One of these trustees was later to become one of the famous Seven Bishops of King James II's reign, namely John Lake, Bishop of Chichester. He was in 1661 the curate to Dr. Marsh at Halifax Parish Church and later became Vicar of Leeds. There are three of the original locks extant, and the keys are in the custody of the Headmaster.

It is deplorable that in the West Riding County Council's 'Development' Plan for Education in the area including Hipperholme, it is proposed that the historic Hipperholme Grammar School be 'discontinued.' A similar fate is proposed for several other old Foundations in the county. The Hipperholme Governors are resisting the proposal.

J. W. H.

YATEHOLME

On page 334 of Volume 13 of the Yorkshire Archaeological Society's *Journal* appears an extract from the Domesday Book recording an entry relating to the existence of Yateholme and Holme, in the Parish of Almondbury near Huddersfield. That record being of Yateholme as an inhabited settlement nearly 900 years ago, it seems fitting it should be followed in the *Journal* by one of its ceasing to exist as such.

There are few known records of its history. It seems to have remained a solitary farm in the Township of Holme, devoted to the raising of cattle and sheep, with about 100 acres of enclosed land, and access to the adjoining moorlands, which run up to the borders of Cheshire, with no restriction of pasturage until the Commons Enclosure Acts of the 1830's were put into force.

In the register of Almondbury Parish Church for 1596 an entry records the death of Elizabeth, wife of John Green of Holme, buried the 8th of April, aged 100 years. This is the earliest record I find to the Greens, whose family continued to own and occupy Yateholme until the early part of the 19th century. The head of the family was given the courtesy title of "Squire," and in 1753 the then Squire Green built for one of his sons Austonley House and farm buildings, about two miles from the old homestead. This son went to live at the new house, but his successors do not seem to have prospered as they lost possession in the middle of last century. The old settlement, too, seems to have fallen on leaner times, for at the beginning of the 19th century the ladies of the house were taking pupils as boarders.

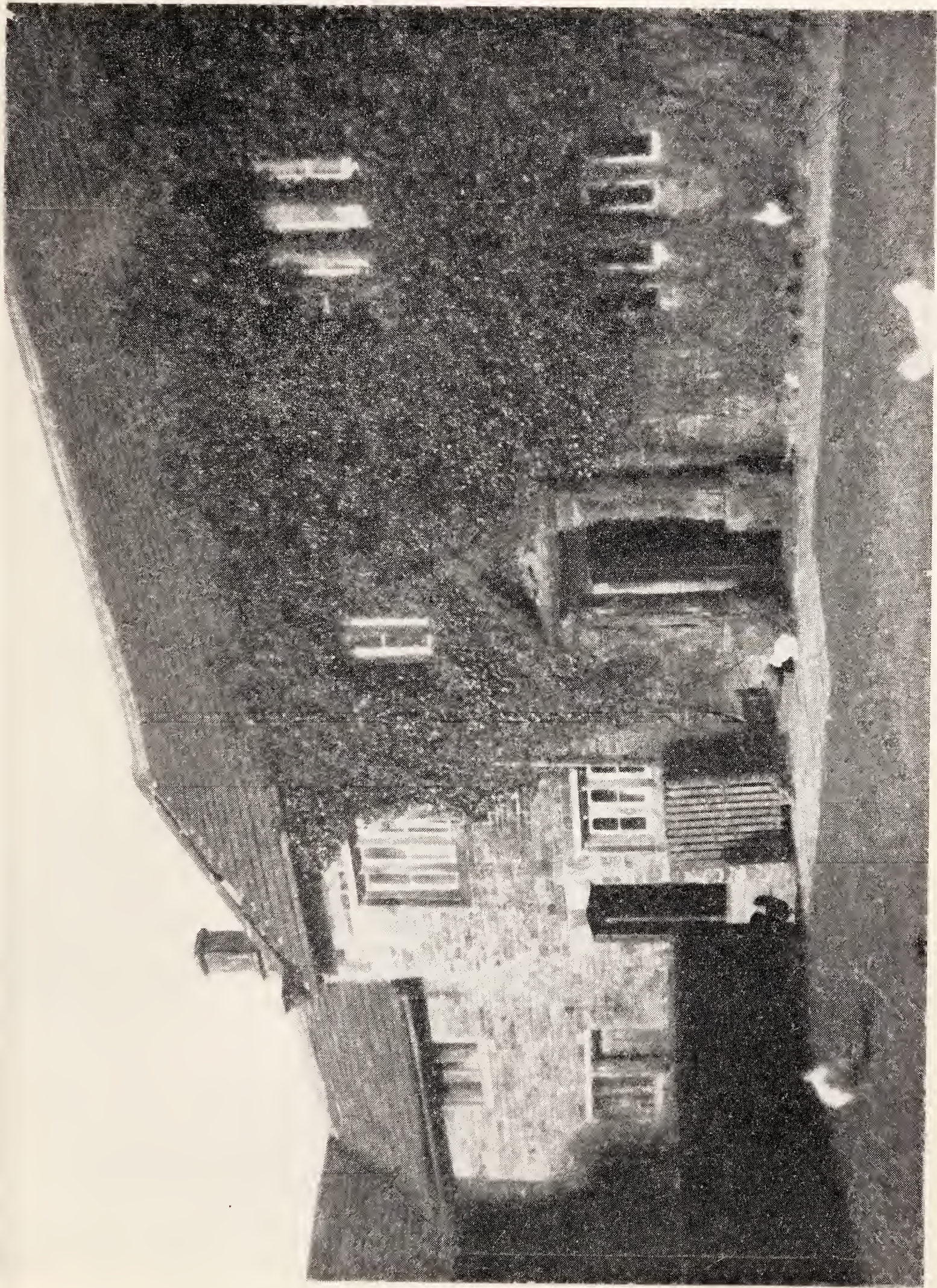
In 1800, the last "Squire" of Yateholme built another house for his son, this time at Holmside, about half-way between Yateholme and Austonley House, and this branch prospered in the woollen trade, but lacking direct heirs in succession, devised Holmside and its farm to a descendant of the Austonley branch who is now in possessive occupation.

No one being left to live at Yateholme, it was sold to Mr. Spencer Stanhope of Cannon Hall, Cawthorne, who had already acquired some thousands of acres of the adjoining moorlands. It must have been in a dilapidated condition, for its new owner immediately pulled down and rebuilt the house in the style shown in the accompanying photograph. The only date I could find on the buildings was on the gable of the barn, photograph No. 2, shewing various initials of the Green family, and the date 1709.

Twenty years ago the Batley Corporation, who had already constructed three reservoirs, two partly and one wholly on Yateholme property, and were in process of constructing another, bought the farm along with all the others on their waterworks catchground. The farms were allowed to remain in cultivation until 1936 when the disastrous typhoid epidemic at Denby Dale was traced to the public water supply as its source, and then water undertakers generally decided to stop the cultivation of catchground land, and houses and farm buildings were pulled down wholesale, Yateholme with the rest. The third photograph shews part of the barn in process of demolition, in August 1937.

On account of its date of origin an attempt was made to get the farmhouse preserved, and representatives of this Society met members of the Batley Corporation and the local Councils to see what could be done. Once the farmhouse was entered it was obvious there was nothing antique worth preserving and the project dropped. The local Councils were permitted to take the

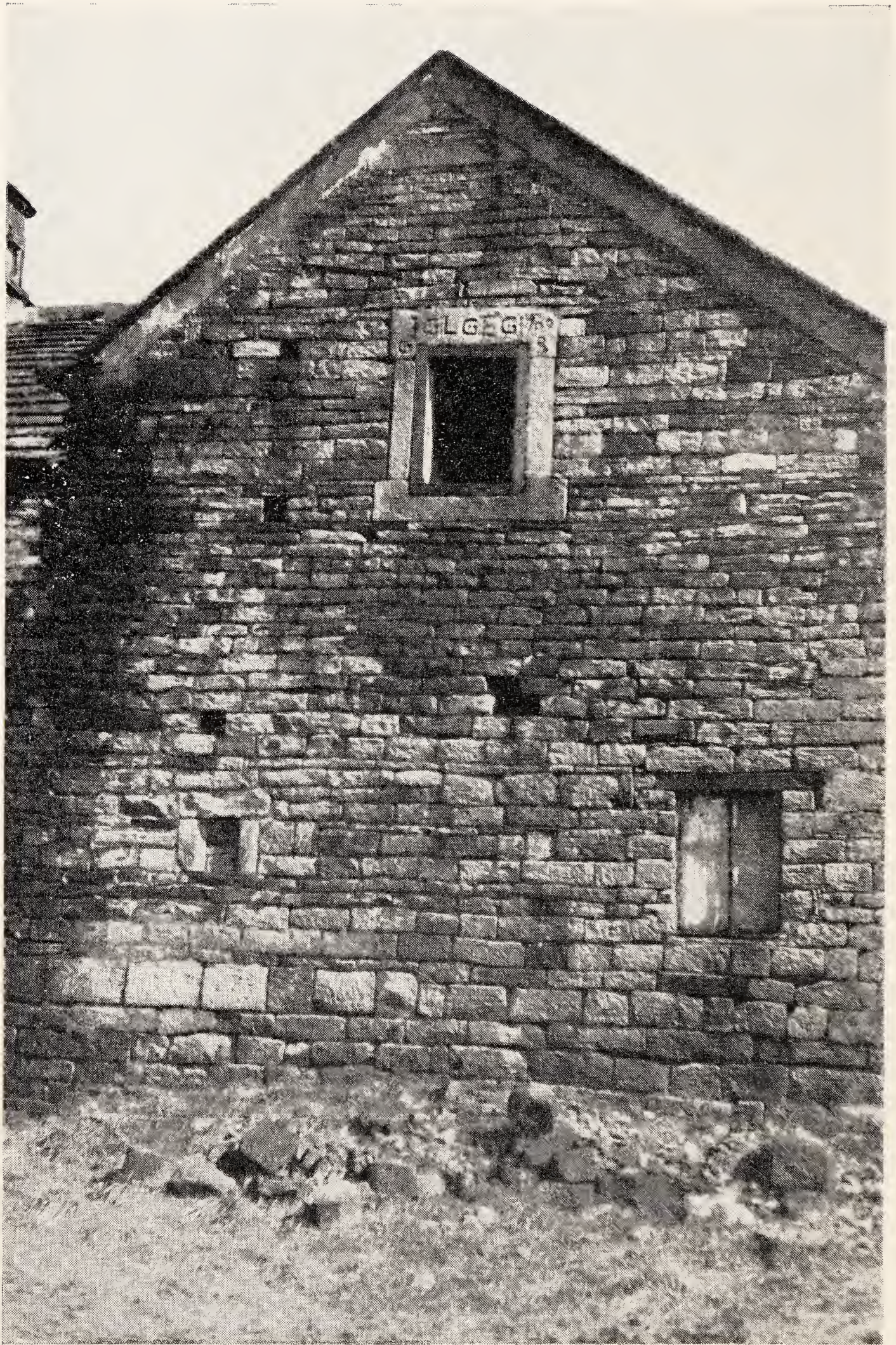




YATEHOLME FARMHOUSE,  
in Township of Holme, near Huddersfield.

*Photographed 1929.*





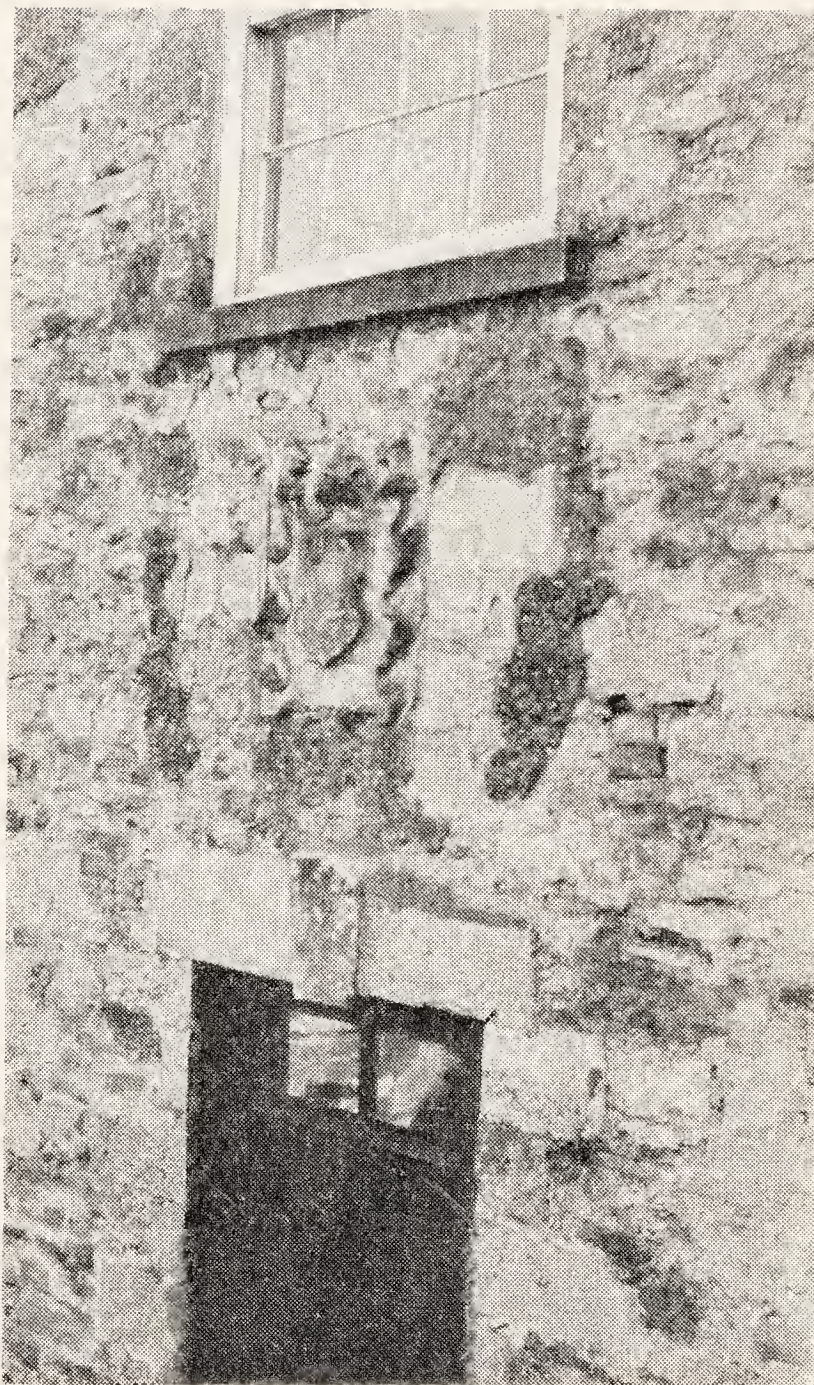
Gable, shewing dates, of barn at Yatcholme, before its demolition in 1937.





Farm Buildings in process of demolition, August 1937, at Yatcholme, in the Township of Holme, near Huddersfield.





COAT OF ARMS OVER PRINCIPAL DOOR  
AT CAWTON MANOR



entrance doorway and old oak timbers from the barn to incorporate in the construction of playground shelters, and the one near the centre of Holmfirth has a suitable inscription as to their source.

Holme, the major settlement, remains a village, rural in character, not a workshop in its borders, and its 400 inhabitants mostly find employment in the mills of the Holme Valley.

JOE HADFIELD.



RING BROOCH.

A ring-brooch of metal has been dug up in a garden at Unox, Old Bilton, Harrogate. It has been identified by the Department of British and Medieval Antiquities of the British Museum as probably English of the late fourteenth or early fifteenth century.

The inscription is a contracted and rather bungled version of the words IESUS NAZARENUS REX IUDEORUM (Jesus of Nazareth, king of the Jews) and was used as a magical or talismanic formula.

The life-size drawing of the brooch by Miss Maric Hartley of Askrigg shows the cross and three roses(?) in the spaces between the words.

E. HAWTHORNTHWAITE.

#### COAT OF ARMS AT CAWTON MANOR.

Over the principal door of the Manor House at Cawton, in the parish of Gilling, York, is a coat of arms, now almost obliterated. It is said to be that of the Bamforth family, and to have borne the date, 1618.

The Manor is now a farmhouse; but the remains of foundations and walls, brought to light during digging operations, indicated a house formerly of much larger extent. There are, however, no traces of a Chapel mentioned in the Rievaulx Chantry as being there in the 14th century.

The Rector of Gilling would be grateful for any further information about the coat of arms (shown in the accompanying photograph), Manor, or Chapel at Cawton.

E. C. HUDSON.

### PERFORATED STONE HAMMER FROM CRIMPSALL, DONCASTER.

Mr. Norman Smedley, M.A., Director of the Doncaster Museum, has kindly sent for my inspection a fine little perforated stone hammer of Bronze Age type, recently found in excavating for drains near the entrance to the railway workshops at Crimpsall (a district of Doncaster) at a depth of 3 ft. The site was originally marshland and the top 3 ft. consists of shale from local mines, so the implement derives from an old surface. The specimen was found in August, 1947, by Mr. H. Butlin, who presented it to the Doncaster Museum.

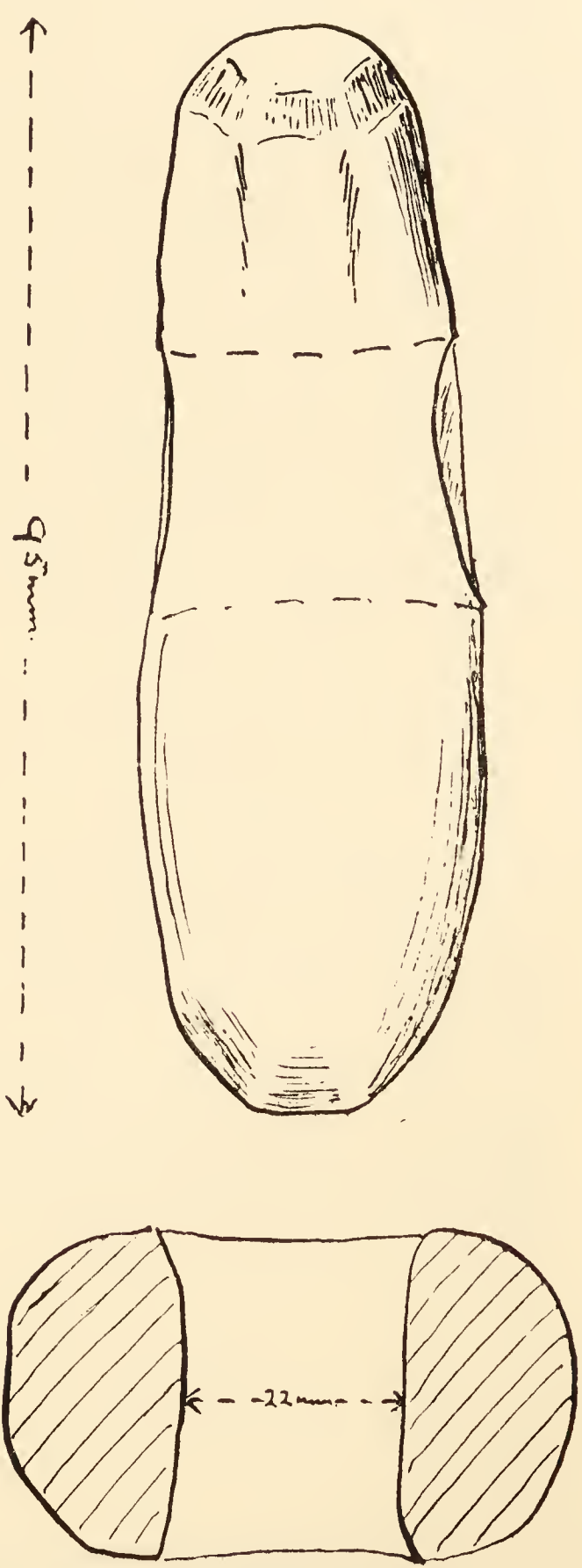
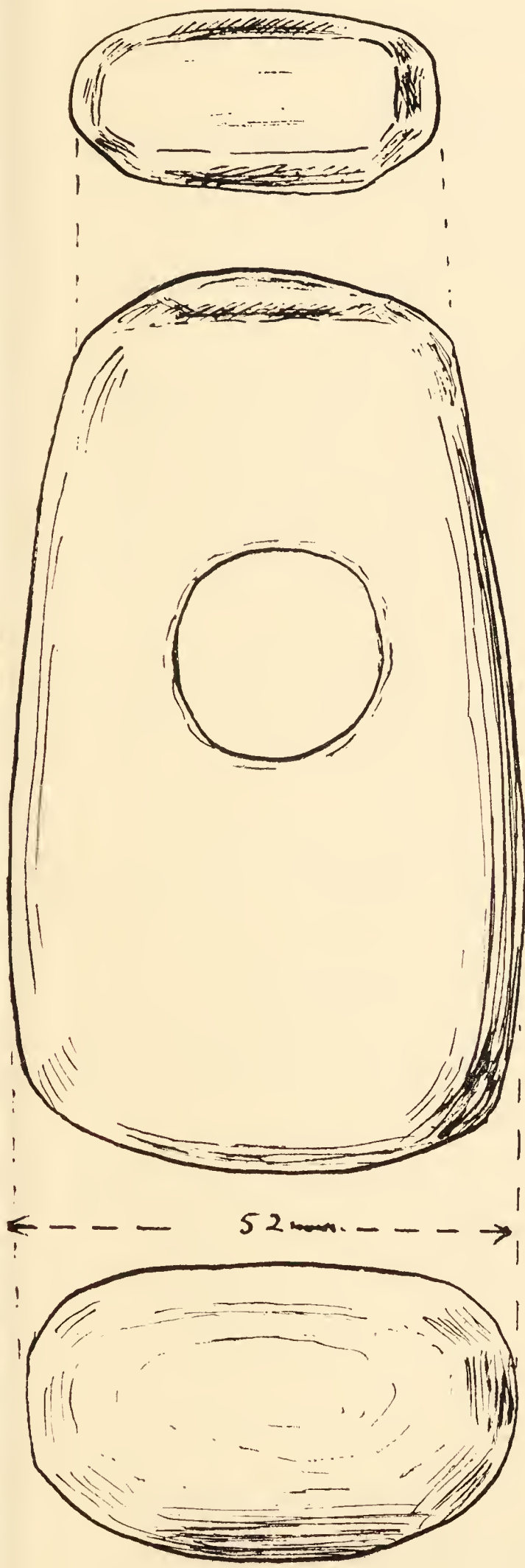
The hammer is of dark grey stone lightly pecked over most of the body. The dimensions are : Length 95, Width 52, Thickness 30 mm.; the weight is 9 oz. The stone was well ground and there are remains of polish, dark brown in colour. The faces and sides were rubbed nearly flat during manufacture, but the angles are rounded off except at the butt end : one face is slightly chipped around part of the perforation and near one side. The butt has a well-defined facet, 38 x 19 mm., gently convex, with part of the edges bevelled : the hammer-face shows a less definite and more rounded striking area, 41 x 17 mm., which has seen more use than the butt. The shaft-hole is cylindrical, 22 mm. diameter at the centre; it may have been bored from the less well-preserved face, where the opening is 27 mm., the reverse being 23 mm. diameter across the mouth : this is unusually large for the type. The internal surface of the perforation is smooth and regular, with vestiges of polish; Mr. Alexander notes that it shows signs of pecking.

In its butt, this is a good example of what we have called the *Narrow-Butted* type of our *Angular* Branch of the finely-made Perforated Stone Hammer series,<sup>1</sup> but in that uncommon variety the body usually expands to a hammer-face of the broad *Pestle* type, whereas in the Crimpsall specimen the hammer end inclines towards a blunt rounded edge.

In the Yorkshire Museum, York (Roots Collection, No. 1005/1948), there is a smaller and rougher hammer, with straight perforation, that bears considerable resemblances to the Crimpsall example; its butt, however, is rounded and the hammer-face stouter; it is labelled as from Scarborough, but no further particulars are available. The most closely analogous example I can quote is a much larger Irish specimen (unfortunately without

<sup>1</sup> H. H. Coghlan and L. F. Chitty, "The Perforated Stone Hammer : its typology and distribution" : Paper read to the Society of Antiquaries, 28th March, 1946; not yet published. Summary in *MAN*, XLVI (Sept.-Oct., 1946), No. 105.





locality), in the National Museum of Ireland, Dublin (No. W. 7), recently published by Mr. Coghlan in his paper on Perforated Stone Hammers in that Museum.<sup>1</sup>

Although perforated stone "battle-axes" (e.g., Armthorpe : Doncaster Museum, No. 306 x) and hour-glass-holed pebble-implements (e.g., Wincobank: Sheffield Public Museum, J. 1924. 3) occur along the Don Basin, this is the first example (so far as I know) of a cylindrically-perforated stone hammer of fine type from the locality. But they are quite common in the Peak District, and a lovely *Waisted Pestle* hammer, of a type characteristic of Ireland, was found near Castleton, Derbyshire.<sup>2</sup>

Distributional evidence, including that of flat bronze axes from Ireland, suggests contacts in the Early Bronze Age by way of the Don and Hallamshire across the Central Peak District and the western fringe of the Pennines to the Mersey Basin and the pre-historic port of Warrington.<sup>3</sup> Thus the resemblance of the Crimpsall hammer to a Dublin example may be of considerable significance, and it is important to ascertain the source of the stone from which it is made.

Dr. F. S. Wallis has supplied the following notes on the petrological nature of the implement, which was submitted for examination by the Stone Axe Sub-Committee of the South-Western Group of Museums and Art Galleries :—

No. 322. Doncaster.

Macro. Fine-grained, greenish, slightly schistose rock.

Micro. Schistose rock of greenish hornblende, felspar and epidote.

Suggested Nomenclature : Hornblende epidote schist. It is not possible at present to suggest a locality for the rock.

There is a possibility that this specimen may be connected with fine metal-working in the Bronze Age, perhaps about 1600 B.C., but much more evidence is needed before this can be established.

For suggestions in connection with this note I have to thank my collaborator, Mr. H. H. Coghlan, F.S.A., and Mr. E. M. M. Alexander, F.S.A., of the British Museum, who first directed my attention to this most interesting implement.

LILY F. CHITTY, F.S.A.

<sup>1</sup> *Jn. R. Soc. Antiq. Ireland*, LXXV (Dec., 1945), 240, Pl. LIII, 2.

<sup>2</sup> Sheffield Public Museum, Bateman Coll., J. 93-15, *Catalogue*, p. 9, Fig.

<sup>3</sup> See my Maps, Varley & Jackson, *Prehistoric Cheshire* (1940), Figs. 26 and 27 : some additional evidence is now available.



## PARISH REGISTERS.

WITH SPECIAL REFERENCE TO THOSE OF YORKSHIRE.

By C. E. WHITING, M.A., D.D., F.S.A.

Registers were kept by the bishops in the Middle Ages and many of them have come down to us and have been printed in modern times. They are of course concerned with episcopal affairs of various kinds. The case is different with the inferior clergy. Some priests may have kept records of baptisms and so forth but only for their own private satisfaction, but with a few exceptions it was not till Thomas Cromwell, the King's Vicar-General, ordered that a register should be kept in every parish that such things became common. The order required that the book should be kept in a coffer with two locks, and that every Sunday, in the presence of the churchwardens, the incumbent or the clerk should enter all the baptisms, marriages and funerals of the previous week. People disliked the idea for they feared that Cromwell was going to levy a tax on the sacraments, but the terror in which Cromwell was held made them suppress their feelings.

Injunctions about keeping these registers were issued both by Mary and Elizabeth. In 1597 convocation ordered that the register book should be of parchment and that every year a copy of the entries of the previous year should be sent on parchment to the Diocesan Registry. In 1603 it was ordered that there should be a coffer with three keys; one each for the incumbent and the two churchwardens. There was much slackness and carelessness and in 1635 the churchwardens of Great Ayton were cited to appear at Thirsk on 17th April to answer for their neglect. Nevertheless in the majority of cases the transcripts were not sent in. When they were sent in they were commonly written on small scraps of parchment very easily lost. The gaps in those preserved at York are sufficient evidence of this. In 1800 it was found that Salisbury, with 434 parishes, was receiving about nine or ten transcripts a year. There is a note in the Kirby Malham registers, under the date 1646 : "The rest was omitted by the negligence of John Willcocke, who supplied the place from the last of November 1643, in the absence of me, Nicholas Walton." "This year [1647] I was imprisoned and in trouble and the clerk was negligent," wrote the vicar of Hooton Pagnell, who was probably of royalist sympathies.

The Directory of 1645 ordered "a fair register of vellum." During the years of the Civil War and the Commonwealth the loyal clergy were ejected and imprisoned in great numbers, and in 1653 Parliament took the registration out of the hands of the clergy, and ordered that the registers should be put into the hands of a

lay registrar, to be chosen by the householders and sworn in before the magistrates. The Brantingham registers contain the following :—

Memorandum that Marmaduke Skelton was sworn before me, Philip Saltmarshe, esq., one of the J.P.'s for the East Riding of the County of York, the 22nd day of October 1653 to be Register (*sic*) of all the Births of Children, Marriages and Burials within the parish of Brantingham.

Philip Saltmarshe.

Banns were to be proclaimed at the market cross and to use the Prayer Book at a marriage entailed fine and imprisonment. At the Restoration, however, the control of the registers passed again into the power of the clergy, though in the eighteenth century, the clerks, who were often illiterate, were allowed to make the entries.

The laity disliked the civil marriages but there were so many of these that they had to be legalized in 1660 to prevent the children from being treated in after years as illegitimate. Many of the civil registers kept by laymen under the Commonwealth disappeared at the Restoration, but though the Puritans hated the baptismal service and smashed the fonts when they got a chance, the ousted clergy went on baptizing children secretly and keeping lists of such.

In 1694 in order to carry on the war with France, a tax was levied on every baptism, wedding and funeral, and the clergy were commanded to register all births, whether followed by baptism or not. The clerks sometimes made no entry in order to avoid paying the tax.

The eighteenth century clerks were often very careless. They put down memoranda on scraps of paper, or in a pocket book, and afterwards entered (or did not enter) them in the register. There are frequent discrepancies between the original notes and the register, e.g., a statement of illegitimacy has been known to have been left out. Preserved with the registers of the parish of Brodsworth is one of these notebooks, a home-made affair, measuring six inches by four, and containing 23 leaves of old and partly used paper, a letter and other manuscripts cut down to the required size. The cover consists of stamped leather obviously torn from the back of some old volume, one cover of the pocket book being shaped into a triangular flap with a string attached. This was the notebook of Mark Foster, parish clerk, 1779-1831, and it had already been used by his father, John Foster. Various matters are entered which have nothing to do with the parish register, but we have a number of notices of baptisms, weddings and funerals, which the writer evidently intended to copy into the register when opportunity permitted. A note on the burial of Sarah Carter on 7th February, 1784 states that she had been servant to the Archbishop of York, a statement which has not found its way into the register, which indeed is written in a far more



clerkly hand than Mark Foster's. Such books as these however show how very easily an entry might escape the person who officially kept the register.

In 1753 the Marriage Act, to prevent clandestine marriages, such as Gretna Green and Fleet marriages, ordered banns or a licence, and decreed that the wedding should take place in a recognized place of worship, under penalty of fourteen years' penal servitude. Moreover the service must take place by day between the hours of twelve and three. The Stamp Act of 1783 ordered a duty of threepence on every entry in the parish register. You frequently find the entry "Paid duty thus far." It is said that some parishes discontinued registration. The Registration Act of 1812 ordered that copies of the register of funerals and weddings should be sent in to the civil authorities and thus a national register was set up. The Act was so loosely drafted that though the only penalty stated is fourteen years' penal servitude, a clause ordered that the penalty should go, half to the informer, and half to the poor of the parish.

Let us turn more particularly now to the Yorkshire registers.

The burial registers did not always contain a record of all the burials in the various parishes. Dissenters refused to be buried by the clergy and objected to the Anglican Burial Service. Some were buried without any ceremony at all. There were persons who did not ask for the services of the incumbent, the object being to save the fee. Roman Catholics were often buried secretly at night by their own priests. The Anglican clergy in such cases, looked the other way, but frequently, as at Frickley, a record of the burial appeared in the parish register. Unbaptized and excommunicated persons could not be buried with the rites of the church. In 1578, at St. Michael-le-Belfry, York, we read: "Richard Kendal, a prisoner in the Bishop's prison, who came from Doncaster, was buried the third of April without any solemnity, saving that the curate and the clerk and other persons were by and present at his funeral." Excommunication was the final weapon in the endeavour to keep discipline in the church. At Bingley, at the Archdeacon's Visitation in 1639, twenty-four persons were excommunicated, and in 1682, twenty. At Stokesley in the middle of the eighteenth century, four women were excommunicated for fornication, and Nicholas Mawburn for refusing to pay his Easter dues. A woman similarly punished for contumacy in a slander case in 1747 was the recipient of absolution in 1755. At Waddington, Ralph Leeming was excommunicated on 23rd December, 1694 and not absolved till October 10th, 1708.

Here are some extracts from burial registers in the County—

1602. DRYPOOL. Thomas Cletheray, a recusant, put into his grave in Drypool churchyard 7th March by the means of Henry Garrub and without the order of Burial according to Law.

1622. STOKESLEY. William Pilly's wife was buried 7th November at night, but where I cannot tell.

Christopher Hutchinson buried 6th February at night, by whom I know not.

1617. ELLAND. Thomas Gleadall's corpse was dug up and viewed by a jury. Some of his covetous relations said he committed suicide. His body was found untouched and unwounded.

1627. WADDINGTON. Nicholas Dugdale, minister of the true Word of God, was buried 24th of May.

1605. THORNTON-IN-LONSDALE. Oct. 31. Marmaduke Redmayne was buried upon the night by unknown persons.

1695. Sept. 25th. Thomas Gibson, reputed 108 years of age.

1769. Jan. 2nd. Mary Simpson, parish apprentice to Thomas Topham.

1710. Nov. 25th. Jane Smith, a vagrant, buried at the charge of the parish.

1766. KILDWICK-IN-CRAVEN. Stephen England, of Silsden, a dumb man, aged about 52. Buried Dec. 4th.

1757. Robert Wright of Sutton, labourer, found dead in the snow on Sutton Moor. Buried Jan. 18th.

1763. John Wilson, a child brought to Kildwick to be educated. His parentage unknown here. Buried April 4th.

1551. ROTHERHAM. Seven little wenches at Catloff's burial. Dec. 24th.

1680. GREAT AYTON. Elizabeth Taylor, widow, and my loving landlady, was buried the 15th October.

1805. James Richardson, killed by falling from a cart, Nov. 7th.

1809. John Fisher, a shoemaker and Methodist preacher from Seamer. Jan. 19th.

1787. HICKLETON. Joseph Watson, widower, buried. Died from bleeding at the nose. Buried June 19th.

1788. Lady Anna Maria Armitage, widow of the late Sir George Armitage of Kirklees, bart., aged 52 years. She was the first that was interred in the vault in this Church. Dropsy. Buried April 5th.

1794. William Holmes, labourer, aged 70, killed by falling into a quarry by the side of the road.

1805. George Kaye, aged eight years, killed by a quoit. Buried Aug. 19th.

1604. FRICKLEY. John Hopkinson, son of one Hopkinson a Bedlomett [Bedlamite]. Buried 2nd May.

1803. Thomas Wadworth of Clayton, labourer, died 22nd and buried 23rd August 1803, aged 22 years. N.B. he hanged himself. The coroner's jurors verdict was lunacy.

1776. CARLTON-JUXTA-SNAITH. William Wilson, a labourer at the bridge new building at the ferry over the River Aire by accident of a fall from the scaffold into the said river was drowned. Buried Sept. 21st.

1793. Mary, wife of Robert Gleadow, died March 20th, 1796, "accidentally, casually, and by misfortune," as represented by the Coroner."



1686. John Grubb, who was slain with wimble as he fell off a horse. Buried May 31st. Certified June 3rd.

[*Wimble*—an instrument for boring holes; turned by a handle].

1777. James, the son of John Wood, of Hatfield Woodhouse, died Nov. 19th, aged one year. Eleanor Peers says it was pined to death, and Mary Stones says it was killed with good living after being too much pined. [Parish gossip].

1798. Eleanor, wife of William Woodall died July 1st. Buried in the Chapel Yard, aged 58 years. Broken hearted.

1800. William Richardson, aged 42. "Killed by drinking gin as represented by the Coroner."

1599. METHLEY. Robert Nelson was buried 28th Nov. The said Robert did break his fast that same day and was in good health, and came to the church to the burying of Maria Hagger, and did help to ring a peal of bells and within one half hour after he died in the presence of all the people in the church and was buried within four hours afterward.

1676. KIRBY MALHAM. David Booth and Alice his wife, Jermiah Sleddon, son of Alice, John, Dorothy and Sarah, children of David and Alice, all six perished and were buried on Christmas Day.

1599. ALDBOROUGH. A poor woman found in a calf house, buried *ibid.*, 1566.

Richard Barker of Roccliffe, *alias* the Money God of Roccliffe, buried.

1687. WENSLEY. Ralph Maynard of Stainby, lost Dec. 17th and found dead in Preston pasture Jan. 31st, buried Feb. 1st 1687.

1610. CANTLEY. A poor old man, a stranger, who died in Alverey Law's barn, whose name was unknown or where he dwelt.

1611. Gabriel Goodwin of Bessacar Grange was slain with a knife by William Brown his servant. Brown hanged at York.

1634. Mary Wright, after her banns had been published twice.

1641. Sarah, wife of John Moulson, who was found *felo de se* and buried in the north side of the church.

1644. Buried Thomas Gresham of Branton. He was poor and religious, a true and just man in all his actions, whose death was loss both to rich and poor. Oct. 2nd.

1647. Thomas Scothorp buried. Feb. 2nd. Good was the Lord to him in that He did take him to Himself, being diseased with falling sickness and sometimes lunatic.

1655. July 10th. John Scott of Branton, a brewster, who through malice poisoned Skailes wife's well, who was another brewster, and fearing the rigour of the law which was begun to be executed against him, fled away, but returning home, he died very suddenly being vehemently suspected by many peremptory

signs and tokens that the very destruction which he had invented against others, was his own deadly ruin, according to that of the Scripture—Prov. 26, 27; Ps. 57, 6; Eccl., 10, 8.

1681. Thomas Wintringham of Brafitt, who came to Gate in good health on Thursday November 17 and died on Friday morning.

1792. ST. LAURENCE, YORK. Name unknown, place of abode unknown, found in a field at Heslington, supposed to be starved to death.

1722. KEIGHLEY. Nov. 5th. Poor, Jacoba, innocent, of Jacob Tatham buried.

1799. ALL SAINTS, PAVEMENT, YORK. Feb. 23rd. Thomas Wilson, breeches maker and ale draper, who kept the Blue Bell Tavern, buried under a blue flag and a soft brown flag, with his head close to his first wife's feet, his head lies under two small flags at the west end of the middle aisle. He lays all along the back side of Mr. Favell's pew, which is the first pew on the south side of the middle aisle.

1643. SESSAY. Gabriel Rud was buried at Snaith, 8th of May, who died of a shot in his arm, received at Stokesley Moor, of a gun.

1698. SAXTON-IN-ELMET. August 25th. Mr. Fanning slain in a duel at the Thief Lane End. August 24th.

1718. Thomas Crabtree, shoemaker, upon the Coroner's inquisition was thought worthy of Christian burial. Jan. 13th.

1655. WHITBY. William Vicars, slain by the Watch. Buried 24th August.

1661. A bastard child of Ann Baxter's, buried unbaptized 26th Jan.

1604. THIRSK. Thomas Bradley buried *non per ministerium* having drowned himself. August.

1586 20th October. Richard Gowland, laid in the earth, buried the 22nd.

1601. Francis Cooke, suddenly slain in drinking with his friend. Sept. 25th.

1702. Aug. 4th. Christopher Shaw buried, hanged for murder.

1602. HOWDEN. Aug. 20th. Elizabeth, a witch, died at Knedlington.

1631. STOKESLEY. John Ingleby, fool of Stokesley, buried the 2nd of October.

1583. ST. MICHAEL-LE-BELFRY, YORK. Percival Grainger, being sixteen years of age, slain by chance with a sword that one Edward Braithwaite held in his hand and buried the 16th day of March.

1682. KIPPAX. Jacobus a Scotsman or stranger buried.

1794. BLACKTOFT. John Magnus, a native of Denmark who was drowned on Sunday 7th September, as he was passing Trent Mouth in his way from York to Hull in the Bonny Boatman's Boat belonging to the Trinity House at Hull, he was washed up near Thornton Land and was buried at Blacktoft on Friday,



26th September 1794 after the Coroner and his jury had taken an inquest upon the body. N.B. He seemed to be about 25 years of age.

1793. ILKLEY. Ann, daughter of William Harper of Ilkley, butcher, drowned in attempting to bath herself in one of the baths at the Spa Well August 15th, buried 18th in the churchyard.

1803. BURGH WALLIS. Frances Parris, wife of the Rev. Thomas Sawyer Parris A.M. Curate of Burghwallis, Rector of Edlington and Chaplain to the Most Noble the Marquess of Stafford. She was the daughter of Edward Gower, esquire, of Worsborough in the West Riding of Yorkshire, and a lineal descendant of Sir Thomas Gower, bart., of Stitenham in the County of York. Aged 54. Died July 2nd 1803 of a decline and was buried in the chancel of this Church, July 18th 1803.

1699. HOOTON PAGNELL. John Burgess the Quaker in his own burial place, September 19th.

MARSKE. 1781. James Postlethwaite, the popish priest at Clints buried 10th February. The service by request was read as usual. [Chester Waters. Parish Registers, 1887, p. 68].

1601. ELLAND. Hugh Smith, killed by a fall of earth in a coalpit. Dec. 12th.

1635. DRYPOOL. George son of Robert Johnson, born prematurely, baptized at four in the morning but buried next day.

In the eighteenth century we find the clerks frequently entering the cause of death. Among these causes are given : the bursting of a blood vessel, the chin cough, gentle decay, injury by a horse, drowning, small pox, consumption and decline; the last two very frequent. In the Maltby registers there are more than forty entries of people dying of the stone.

Once or twice we find a reference to touching for the King's Evil, *e.g.*, WRAGBY, 1670. The practice went back to the days of Edward the Confessor. People suffering from scrofula (the King's Evil) appeared before the King, and after a service, the Latin form of which was printed in the Latin Prayer Book as late as 1759, the King crossed the sore with a gold angel and hung the coin round the person's neck, where it remained till he was cured. James II was the last to perform the ceremony. William III never attempted it, and the Cavaliers said scornfully that he knew he was not a king. Anne performed the ceremony. George I who believed little or nothing refused and so brought the custom to an end.

In 1666 an order was issued that all dead persons should be buried in woollen, even the quilting round the coffin had to be of woollen material. The purpose was to encourage the woollen trade and to prevent money being sent to Ireland for linen. The order was frequently disobeyed so a more stringent Act was passed in 1678. The clergy were bidden to make an entry in the register that the deceased was buried in woollen and that they had received an affidavit to that effect. It became the custom for the clerk, immediately after the burial service, to call out, "Who makes

affidavit?" Many paid the fine instead of obeying the law. Thomas Comber, Precentor of York, and later Dean of Durham, was buried in Yorkshire and not in woollen, in 1699 and the fine was paid. The custom fell into disuse, though it was not till 1814 that the Acts were formally repealed.

Here is an example from CHERRY BURTON, 1678. "We whose names are underwrit do testify that Anne Simons late of Cherry Burton, was not wrapt, wound up, nor buried in any shirt, shift nor sheet made of or mingled with flax, hemp, silk, hair, gold or silver, nor in any other than what was made of sheep's wool only, nor in any coffin lined or faced with any cloth, stuff, or any other thing whatsoever made or mingled with flax, hemp, hair, gold, or silver, in witness whereof we have hereto set our hands and seals the 17th day of September, John Simons, Ann Ashton, Mary Ashton.

Frequently there is a reference "Affidavit made."

LINTON-IN-CRAVEN. 1678. John Wraythall of Griston buried, the first in woollen by Act of Parliament, 3rd October. (Apparently no notice had been taken here of the earlier Act of Parliament).

1680. Mrs. Mary Hammond, wife of Mr. Thomas Hammond of Threshfield, buried in linen the 10th day of April, the fine thereof paid, certified under the hand of Cuthbert Wade Esq., 20th day of April.

Turning now to marriages we have much less in the way of gossiping remarks and items of information.

1709. KILDWICK-IN-CRAVEN. July 27th, Edward Smith, a poor old man and Ann Laycock, widow, both of this parish, married by banns.

1657. BUBWITH. Thomas Cowlam of Spaldington, labourer and Jane Millington of Willstoft, spinster, married in a private alehouse, to wit, Richard Clarke of Spaldington, 11th February, by Robert Browne, vicar of Eastrington without any certificate of their publishing.

1568. ST. MICHAEL-LE-BELFRY, YORK, 1568. Richard Coupland and Beatrice Atkinson the 16th day of January. Divorced by an order of law in 1576 in the dean and chapter court of the cathedral church of York.

In many parishes we have entries of the publication of banns during the Commonwealth times, and the marriage following before a justice of the peace.

1619. GILLING. William Rose and Elizabeth Barton married on Symond and Iden day [Simon and Jude].

1659. HACKNESS. Marriage of Robert Coulson and Mary Cockerell. In the service Mary dropped down in a "swame" and after standing at the door in the air "recovered and went on."

During certain times of the Christian Year the Church forbade marriages. Let the Register of St. Mary's, Beverley, explain.



## RULES FOR MARRIAGE, Nov. 25th, 1641.

When Advent comes do thou refrain  
 Till Hilary set you free again,  
 Next Septuagesima sayeth thee nay  
 But when Low Sunday comes thou may.  
 Yet at Rogation thou must tarry  
 Till Trinity shall bid thee marry.

The third prohibition was peculiar to England. The Council of Trent only forbade marriages in Lent and Advent.

In the entries of baptisms we sometimes come across the expression "a Chrisom child." The chrisom was a white garment worn by the baptized infant for seven days or until the mother was churched. It was half a yard long and a yard wide, and was bound round with strips or folds of linen. If the child died during the seven days or before the churching it was buried in the chrisom. The protestants tried to abolish the custom but it lingered on in Yorkshire for some time.

1568. KIRKBURTON. The 26th of November was Margery King buried, a chrisom child.

The 9th day of December was John Marsh buried, a chrisom child.

With the baptisms are entered ninety churchings. Here are two entries from the same register:

1567. KIRKBURTON. 30th September. Richard Wright oweth my Mr. for churching his wife.

26th October. Richard Crostend hath paid for churching his wife.

Here are some entries connected with baptisms:

1585. KIRKBURTON. Hurselle Houssie, daughter unto Hurselle Houssie was baptized the 6th day of August. At the churching they did put in the name Hurselle Houssie *alias* Houghsonne.

1808. THORNTON-IN-LONSDALE. Benjamin Willey, a black man at riper years. July 3rd.

1779. May 20th, Betty, daughter of Richard Jacks baptized. This is the 24th child he has had to two wives.

1685. GREAT AYTON. Hannah, a bastard child, the father's and mother's names not known to the minister. [Probably a foundling].

1803. INGLETON. Thomas, David Herd, William and Betty Herd, children of Thomas Parrington, born and baptized 8th October.

1716. THIRSK. Sept. 7th. James son of John Harrison, born in the House of Correction.

1682. CHERRY BURTON. Anne Baker did penance March 26th publicly. The said Anne Baker laid a foundation of the Town Stocks, which was seven pounds paid by John Pindar of Hutton Cranswick, who was supposed to have got the said Anne Baker with child, and was fined seven pound by Mr. John Estofte and Mr. Toby Hodson, Justices.

1626. LINTON-IN-CRAVEN. William Hardcastle was baptized in the year of Our Lord no man knows when.

1738. Thomas, the son of Black John Simpson was baptized 21st of May.

1765. William Gibson, a native of Guinea, or a Negro slave, was baptized December 25th by me, Benjamin Smith, B.D., Rector.

1637. STOKESLEY. February. Robert Garbut had a child born the 1st of February, but not baptized at the church.

1576. ST MICHAEL-LE-BELFRY, YORK. Francis Cowper baptized within by Mother Taine, midwife, and not at the church 17th June, but was brought to church according to the order of the Communion Book in that case provided and appointed.

Midwives were licensed by the bishops after testimony as to character from the parish priest. Curates were ordered to instruct them as to their duty in case of a hurried baptism.

1570. ST. MICHAEL-LE-BELFRY, YORK. Guy Fawkes, son of Edward Fawkes baptized.

1626. GILLING. John, the son of William Rose, baptized at home by a woman, 20th July.

1800. HOOTON PAGNELL. James, the son of Elizabeth Piper, single woman, born 31st December, and baptized 25th January. N.B.—Elizabeth Piper being an Ideod, knows not who is the father of the above child. It was born at Bilham.

1665. GRINTON. March 24th. Anthony, son of Mark Raw, baptized in the presence of the great-grandfather and grandfather and other witnesses, they having received Holy Communion. He was aged two years at Martinmas before.

The names of the godparents are sometimes given. Burton Fleming does so from 1577-99; St. Martin's-in-the-Fields is another instance. This had been ordered by Cardinal Pole in the reign of Mary.

1757. STOKESLEY. Jonathan Hall, physician and surgeon, aged 66, baptized April 24th. [Probably a Dissenter].

1741. KIPPAX. Eliza Metcalf, an adult Quaker baptized.

Parish registers gave occasional references to public affairs:

1642. BURTON FLEMING. A note that Queen Henrietta Maria and her army were at Burton Fleming on March 3rd.

1689. GILLING. Abdication of James II and accession of William and Mary.

“From an arbitrary prince, from French tyranny and from blind superstition, *Libera nos Domine*.

1702. Accession of Queen Anne.

1808. HOOTON PAGNELL. Burial of James Warcop, a private in the Royal Cumberland Militia, guard at the beacon of Bilham [In case of a French invasion].

1687. KIRBY MOORSIDE. George Villiers, Lord Duke of Buckingham, buried 17th April.

1558. RICHMOND. Richard Snell burnt at Dewsbury.



1643. BEVERLEY. June 30th. One great scrimmage at Beverley and God gave us the victory at that time. Blessed be God.

July 30th. Thirteen slain men on the King's party buried.

All our lives are now at stake

Lord deliver us for Christ his sake.

1658. HACKNESS. Notes the death of Oliver Cromwell and the accession of Richard on September 3rd.

We get many references to storms and other natural phenomena:

1719. THORNTON-IN-LONSDALE. The snow was so high that door neighbours could not visit one another without difficulty, nay danger, from six in the morning till eleven, at which time the wind abating, with boots on their legs and spades in their hands they made a communication from one house to another.

1604. ALDBOROUGH. About the beginning of June there was a great plague at Burrow [Boroughbridge] wherein died eighty at the least.

1563. WENSLEY. There is nothing to register for this year, the plague so hot and so many fled from Wensley that the town was unfrequented for a long season, as I find by an old writing dated 1569.

1625. RIPON. John Lapthorne, a carrier from London, died of the plague at his daughter's house in the Horsefair 2nd June. (A long list follows of those who died).

1605. THIRSK. Numerous deaths of the plague.

1684. CHERRY BURTON. Between 12 and 1 o'clock two suns were seen at Cherry Burton. Again in 1689 and 1696.

1692. Dec. 8th. A violent tempest overthrew the chantry elms, and one of the chimneys of the parsonage.

1702. Dec. 18. The kitchen chimney fell down and brought a great portion of the vicarage with it.

1673. HARTSHEAD. Sept. 11 a great flood which brought down many bridges. (This flood covered a great part of the churchyard at LINTON-IN-CRAVEN.)

1717. HARTSHEAD. March 14. Forty hours snow began and drifts three yards high.

1748-9. BURTON FLEMING. The infectious distemper among horned cattle which raged in almost all the counties of England, began at North Burton February 1748 and ceased again in June 1749, in which there died in the said Town about the number of 150 cattle.

1631. BINGLEY. July 6th. A list of all who died in the parish of the plague and were not buried in the churchyard.

1615. ALMONDBURY. So great a fall of snow as was not known in the memory of any living, far exceeding that in 1540 in magnitude and duration, in which many travellers as well as inhabitants at Saddleworth perished.

1605. HOWDEN. Great floods and rain at Howden which enlarged the price of corn. The same year the Ouse was frozen.

1660. HACKNESS. December 8th. A great storm at four or five o'clock which took off thatches, destroyed ricks and stacks, blew down windmills and trees and continued till one o'clock at night. "No man living ever saw such a wind." The same record tells of an eclipse and a comet.

1604. YORK. The registers tell that 3,512 people died of plague in 1604 in the City of York.

Scraps of information of local interest appear from time to time:

1769. SWILLINGTON. Note on the final paper of the fly-leaf. "Master Lowther and Master John set off to school to learn with one Mr. Drake, near Lord Maynards. July 17th.

1708. THORNTON-IN-LONSDALE. An account of a dispute between the parish church and the Chapel at Burton.

1621. STOKESLEY. John Ripley a vagrant and wandering beggar of low stature, brownheaded and somewhat blear-eyed, aged about fifty years, ordered to be whipped at Stokesley according to law for a wandering beggar and misdemeaning himself.

1745. ILKLEY. The Rev. Edmund Beeston, "distinctly, orderly and audibly" read the Thirty-nine Articles. April 28th.

1801. HOOTON PAGNELL. Ascension Day, May 14th, the boundaries of the parish of Hooton Pagnell were perambulated.

1670-88. CHERRY BURTON. Instructions to constables to arrest sturdy beggars, conjurors, common players, jugglers, bearwards, tramps and Egyptians.

1694-7. PICKHILL-CUM-ROXBY. An account of the children of Timothy Place, vicar of Pickhill, baptized 1694-7.

Sometimes important documents were copied into the registers, e.g., a transcript of the Will of William Young, a benefactor of the poor at GREAT AYTON; a surrender of the manorial rolls at HOWDEN; the details of the Cartwright Charity at BRODSWORTH; the Terriers of many churches; an admission of encroachment on the churchyard at KIPPAX in 1788 and a note of enclosures also at KIPPAX 1704. WRAGBY has a copy of Archbishop Holgate's will, dated 1555, by which Wragby was to be represented on the management of the Archbishop's Hospital at Hemsworth. AUGHTON has a copy of a lease of ground and of the school-house, dated Oct. 25th, 1832. There are many such documents copied into the registers. Those of CHERRY BURTON have a list of the extinct families of the place between 1562 and 1676, collected 1683.

There are also notes on financial arrangements, e.g., assessments for the repair of the churchyard fence and gates. (SWILLINGTON 1768); the fees due to the Parish Clerk (ST. MICHAEL-LE-BELFRY, YORK); the names and numbers of communicants and their Easter offerings (PICKHILL). Expenses allowed at visitations (SWILLINGTON 1731) and parochial meetings are sometimes given. Numerous registers have notes of gifts and bequests to the church, e.g.,



Gift from Sir William and Lady Lowther to the church 1751, including a set of silver plate "for the Blessed Sacrament" (SWILLINGTON). In some cases we have registers of the pews and their holders. There are many references to Church repairs and expenses, e.g., "The Great Bell had to be recast in 1630 and cost £9. 6. 8. (METHLEY).

Money was raised for charity, sometimes as a result of a "Brief" issued by the Government. KIRBY MALHAM gave 6/- for the Protestant Churches in Lithuania in 1663. LINTON-IN-CRAVEN in 1665 collected 2s. 2d. for the relief of the plague-infected people in London and elsewhere in this Kingdom. In ten years, 1711-20 inclusive, seventy-seven briefs were sent to BURTON FLEMING for sufferers by fire, flood and "thunder," and for various churches. To twenty-one of these objects there was no response. The parishioners of WRAGBY in 1682 collected for the Irish Protestants £3. 18s. 2½d., for the French Protestants £2. 2. 0., and they gave 6/- to "Swift the leper." A list of briefs and the returns to them would be far too long to give here.

Curious Christian names are frequently found, though there are no examples of the custom of giving a whole sentence for a name as found in the South Midlands in the middle of the seventeenth century:—Among men's names are found, Feader (? Theodore), Ottywell, Percyford (? Percival), Tong, Harcalus, Jugium, Claudius, Garparsis, Fatuel, Robert Liquorice, Topanus. Women's names include, Prothasia, Methley, Rasoma (? Rosamund), Gattrick (Gertrude), Varletty, Petronella, Mavildis, Bithyna, Mirabella, Maidland (? Magdalen), Anstiss, Philadelphia Mary, Nappa, Meriole, Beda, Easter, New Year. An illiterate clerk may have been to blame in some cases.

Among the Yorkshire tradesmen we find the following: bobbin-turner, chair-bottomer, mole catcher, twine spinner, workman in lead, heckler (KILDWICK 1764), perrike-maker, rat-catcher, clogger, calico-printer, flax-dresser, flax-spinner, heel-cutter, inn-holder, ale draper, writing master, grace-woman, translator (there were a number of these in York), a rider in the course (? jockey), "tailor for the comedians of St. Helen's parish," shalloner, spaniel hunter, trifler, mine digger, twist spinner, guard to the London coach, one of the Lord Mayor's esquires (York), quack doctor and under miner of coal. Occasionally we find soldiers like William Aspinall of the King's Guard (WADDINGTON 1621).

Our modern registers since 1812 are much more dull than their predecessors and are mere tabulated lists of names and dates. A national registry had become a necessity because of Nonconformity, unconsecrated cemeteries, registry office marriages, and unbaptized children. Of the registers since 1812, except for those of Baptisms, it would not matter much if we hadn't them; since their contents are all in the State Offices. But the earlier ones are a treasury of social and religious history and should be preserved with the greatest possible care. They have been ill-treated

in the past, fire, rats, damp, children who have scribbled on them, clergymen's wives who found the parchment useful for jam-pot covers, have all, through the carelessness of the clergy, worked much harm and loss. It is not so now, and societies like the Yorkshire Parish Register Society are producing numbers of printed copies in case the originals should be lost, besides making them accessible to the student of history or genealogy. In any case they are a priceless heritage, over which we cannot exercise too much care.



## HENRY III's CHARTER OF A MARKET AND FAIR AT SETTLE.

By C. T. CLAY, C.B., Hon.Litt.D., F.S.A.

The original charter of Henry III, dated 12 April 1249, granting a weekly market and a yearly fair at Settle, has been discovered in an unexpected manner. Whitaker's own copy of the second edition of his *History and Antiquities of the Deanery of Craven*, published in 1812, was acquired recently by Mr. H. L. Bradfer-Lawrence, who very kindly placed it at the present writer's disposal. The charter is one of several original documents bound into the volume. Among them are five early charters relating to lands of the honour of Skipton, of which one is a charter of Alice de Rumilly, lady of the honour, of probable date 1166-75; and another is a charter to Fountains abbey issued by William son of Helto, ancestor of the Mauleverers of Beamsley, and dated 24 Feb. 1175[-6]. Collotype reproductions of these two charters form two of the plates in a volume of *Early Yorkshire Charters* for the Honour of Skipton, which has been issued recently in the Extra Series of our Record Series publications.<sup>1</sup>

In addition, facing p. 137, is Henry III's charter granting a market and fair at Settle. On p. 141 Whitaker, referring to Settle, mentioned "several memorials relating to the Percy Fee, now at Skipton Castle"; and then, in his next sentence (p. 142), he wrote "But the charter for the fair and market, of which the original remains in the same collection, is of much earlier date." A brief abstract of the charter followed. There is no doubt that the document bound into the volume is the original charter which, when Whitaker wrote, was among the Skipton Castle muniments, and that it subsequently passed into his possession. Elsewhere (p. 227*n*) he refers to the "mouldering remains of the family evidences at Skipton."

The market granted by the charter was to be held weekly on Tuesday, and the fair yearly on the eve, the day and the morrow of St. Laurence (August 9-11).<sup>2</sup> The charter was enrolled in the usual manner on the Charter Roll.<sup>3</sup> The formulas follow closely those which had become customary from at least as early as the reign of John, the texts of several of whose grants are available in print.<sup>4</sup> The wording and general character are similar

<sup>1</sup> Some details relating to Whitaker's volume and the documents which he inserted are given in *E.Y.C.*, *ut sup.*, introd., pp. viii, ix.

<sup>2</sup> Mr. K. L. McCutcheon in his *Yorkshire Fairs and Markets*, Thoresby Soc. vol. xxxix, p. 19, has noted six other places in Yorkshire where the fair was granted for those days.

<sup>3</sup> *Cal. Charter Rolls*, 1226-57, p. 340.

<sup>4</sup> *Rotuli Chartarum* (Rec. Comm.), *passim*. For a list of Yorkshire places from 1227 see McCutcheon, *op. cit.*, pp. 161-171.

in the grant of the fair to William earl de Warenne at Wakefield, issued on 15 March 1203-4; and in the grant of the market and fair to the Templars at Wetherby on 15 November 1240. Of these the originals are in existence, and photographs of both of them are available for comparison.<sup>1</sup>

Richard de Percy, the father of the grantee, was a younger son of Jocelin of Louvain by his wife Agnes de Percy, daughter and coheir of William de Percy, holder of the barony of Percy, who died in or shortly before 1175.<sup>2</sup> He acquired a large portion, approximately a moiety, of the Percy inheritance; and this division between him and his nephew William de Percy the younger led to disputes which lasted several years.<sup>3</sup> Although by an agreement made in 1218 Settle was assigned to the latter,<sup>4</sup> it was subsequently agreed on 9 Feb. 1226-7 that it should be held by the former.<sup>5</sup> Richard succeeded in maintaining possession of his share until his death in 1244, when this did not pass to his son Henry (the grantee of the present charter), but was united to the other share held by William de Percy, his nephew. Richard, however, had granted the vill of Settle in his lifetime to his own son Henry.<sup>6</sup> There is good evidence to suppose that Henry, who apparently never made any claim to his father's share of the Percy barony, was not legitimate;<sup>7</sup> and in a note in the lost Chartulary of Bolton priory Sir Henry de Percy of Settle was termed a bastard.<sup>8</sup> As Sir Henry son of Richard de Percy he granted the manor of Settle, in exchange for a money payment for life, to Sir Henry son of William de Percy (the representative of the senior line) on 29 Sept. 1260, with certain exceptions which were to pass to the latter after his own death.<sup>9</sup> He was a benefactor of Sallay abbey<sup>10</sup>; and was living in 1267-68. His son Alexander<sup>11</sup> inherited no interest in Settle, which by his father's grant of 1260 became a member of the united Percy barony, as it had been before the death of William de Percy in or shortly before 1175.

<sup>1</sup> For Wakefield in Mr. J. W. Walker's *Wakefield its History and People*, 1st ed., facing p. 54; and for Wetherby in McCutcheon, *op. cit.*, facing p. 49.

<sup>2</sup> Detailed accounts of Richard de Percy and of his mother Agnes and his aunt Maud, countess of Warwick, the other coheir, are given in the article on Percy in *Complete Peerage*, new ed., vol. x.

<sup>3</sup> *Ibid.*, p. 540, where there is a full note on the nature of the division and the course of the disputes.

<sup>4</sup> *Yorks. Fines*, 1218-31, p. 1.

<sup>5</sup> *Ibid.*, p. 111.

<sup>6</sup> *Percy Chartulary*, Surtees Soc., no. 169; this grant was inspected and confirmed by the king in 1258 (*ibid.*, no. 47); it included also the manor "de Bello Alneto," which can probably be identified as Belaunay, now represented by Belney Farm, near the Percy manor of Hambledon, Hants. (*Complete Peerage*, *ut sup.*, p. 451n).

<sup>7</sup> *Complete Peerage*, *ut sup.*, p. 452n.

<sup>8</sup> Dodsworth's extracts in his MS. cxliv, f. 12.

<sup>9</sup> *Percy Chartulary*, no. 235.

<sup>10</sup> *Sallay Chartulary*, nos. 377-8.

<sup>11</sup> *Complete Peerage*, *ut sup.*, p. 452n.





[illegible]



The text of the charter, of which a photograph accompanies this note, is as follows :

Henricus Dei gratia rex Angl[ie] . dominus Hibern[ie] .  
dux Norm[annie] . Aquit[anie] . et comes Andeg[auie]  
archiepiscopis . episcopis . abbatibus . prioribus . comitibus .  
baronibus . justic[iariis] . vicecomitibus . prepositis . ministris  
et omnibus balliuis et fidelibus suis salutem. Sciatis nos  
concessisse et hac carta nostra confirmasse Henrico de  
Percy filio Ricardi de Percy quod ipse et heredes sui in-  
perpetuum habeant vnum mercatum singulis septimanis  
per diem martis apud manerium suum de Setel.' Et quod  
habeant ibidem vnam feriam singulis annis duraturam per  
tres dies videlicet in vigil[ia] in die et in crastino sancti  
Laurentii cum omnibus libertatibus et liberis consuetudinibus  
ad huiusmodi mercatum et feriam pertinentibus. Nisi  
mercatum illud et feria illa sint ad nocumentum vicinorum  
mercatorum et vicinarum feriarum. Quare volumus et  
firmiter precipimus pro nobis et heredibus nostris quod  
predictus Henr[icus] et heredes sui inperpetuum habeant  
vnum mercatum singulis septimanis per diem martis apud  
manerium suum de Setel.' Et quod habeant ibidem vnam  
feriam singulis annis duraturam per tres dies videlicet in  
vigil[ia] in die et in crastino sancti Laurentii cum omnibus  
libertatibus et liberis consuetudinibus ad huiusmodi mercatum  
et feriam pertinentibus. Nisi mercatum illud et feria illa sint  
ad nocumentum vicinorum mercatorum et vicinarum feri-  
arum sicut predictum est. Hiis testibus . venerabili patre  
. P . Hereford[ensi] episcopo . Simone de Monteforti comite  
Leycestr[ie] . Petro de Sabaud[ia] . Johanne Mansell' pre-  
posito Beuerl[aci] . Paulino Peyure . Galfrido dispensatore .  
Galfrido de Langel' . Radulfo de Wancy . Willelmo Gernun .  
et aliis. Data per manum nostram apud Merton' . duodecimo  
die April[is] . anno regni nostri tricesimo tertio.

Size c. 8 x 7 $\frac{1}{4}$  in. On the fold of the parchment are three  
round holes through which passed the cords holding the great  
seal, now missing. The charter is endorsed in a later medieval  
hand 'Carta Henrici secundi'; and very properly someone, possibly  
Whitaker himself, has written in pencil 'No, tertii.'

## TECHNICAL NOTES ON THE St. WILLIAM WINDOW IN YORK MINSTER.

By JOHN A. KNOWLES, F.S.A.

Before proceeding with the following technical notes, a very brief description of the window itself will no doubt be helpful to those who do not know it well, in order to realise the size and scope of the work.

The St. William and St. Cuthbert windows facing one another in the two smaller transepts of the choir are practically both the same size being approximately seventy-five feet high and containing about eight hundred and thirty superficial feet each. The St. William window is divided into four sections by three transoms, three containing twenty-five and one thirty picture panels representing the life of the saint, the events connected with his translation, and miracles at the tomb and shrine. Across the base are panels depicting members of the Roos Family the donors of the window, two of whom, as we shall see later, are represented twice.<sup>1</sup>

The date of the work is about 1421.

The subject panels are practically square. Only those at the tops of the lights have canopies filling cusped heads. The others are enclosed by a low flat arch above and mouldings at the sides forming little more than a picture frame.

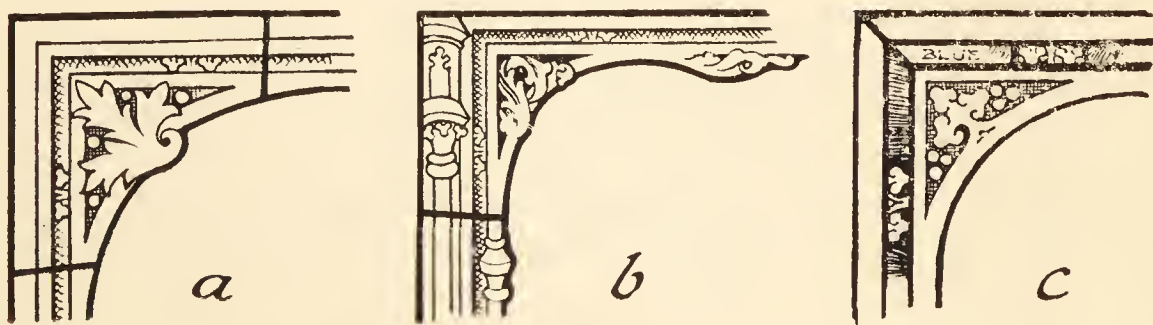


Fig. 1.

Three different renderings of the architectural framings  
to the panels.

<sup>1</sup> A learned description of the window by Dr. James Fowler, F.S.A. appeared in the *Yorkshire Archaeological Journal*, vol. III, pp. 198-348, 1875. The window was taken out in 1895 for repairs by the writer's father, who took the opportunity of photographing and making full-size tracings of the whole of the panels. These are now in the Victoria and Albert Museum. *Vide* also Additional Notes on the St. William Window in York Minster by the present writer in *Proc. Yorks. Architect. & York Archæol. Soc.* vol. I, No. 2, 1934.



But they are not all alike. There are three different patterns, and those of any one pattern are not grouped all together as we should expect, but are dotted all over the window. This rather points to the conclusion, as will be explained more fully later, that the window was the work of several firms working in conjunction, who each put their own interpretation upon a rough suggestion of an architectural framing as indicated in a preliminary design or sketch, drawn to a small scale, and carried it out accordingly.

Unfortunately very few, if any, original sketches for medieval stained-glass windows have been preserved. But there is in the Laing Collection, in the National Gallery of Scotland, an early sixteenth-century design by a German artist for an English stained-glass window.<sup>1</sup> Curiously enough, one of the figures is that of St. William of York. The design is very "sketchy"—a mere suggestion—and we can easily understand how many different interpretations or renderings of the architectural accessories roughly indicated in it, could be given by different executants.

The five panels of donors across the bottom of the window appear, to the present writer at any rate, as slightly different from the panels above. It is not that they are in any way inferior—rather the reverse—but they seem to have been differently conceived. The canopies have a more delicate air about them, the shaftings are wider and contain figures. Moreover, a pale purplish blue glass has been used in the striped tapestry curtains in the backgrounds, which does not appear in the upper portion of the window.

Higher up in the window another curious fact emerges. The five panels of the *King Edward and Queen Eleanor* episode and the five scenes of the *Ralph and Besing* story have been originally painted and fitted with a square framing to Pattern A Fig. 1 above. Later—some months or a few years at most—they have evidently been altered. The low flat arch has been taken off, new side shaftings painted to carry a canopy above, and extra pieces of red or blue background as the case may be, added to fill them out to meet the architectural canopy in the cusped heads of the top of the lights. This is not easy to see in the case of the ruby backgrounds, but in the blue, when pointed out, it is very obvious. Although the added glass matches the other perfectly—showing that it is contemporary—the original outline can be plainly seen, especially in the panels, *King Edward falling from his horse*, and *Ralph praying at the shrine*. The diaper pattern does not now spread continuously over the whole of the coloured background, but stops at the original border and then starts again.

The second section of the window contains one more row of panels than the other three. In other words the second transom occurs one row higher up than it does in the St. Cuthbert window

<sup>1</sup> Printed in facsimile in the publications of the Vasari Soc., No. 25, Plate VII.

opposite, which is some twenty-five years later in date, and a complete unity. Not only the transom, but the wall also of the little transept containing the St. William window, seems to have undergone some modification during the time it was being built. Browne, the historian of the Minster, in reference to this, states : "The outer wall was probably carried up to the cornice and then left, as on inspection of the interior of the wall above the vaulting of the side aisle, we see the tusks intended to connect the cross wall of the north arm of the little transept, partially unemployed, evidently showing, that the cross wall was built afterwards, and joined on to the outer wall, but not accurately at the place intended."<sup>1</sup>

This seems to indicate that the original idea was probably to form a crossing by vaulting the little transept over, with groining springing from the four corners, but at the same height or a little higher, than the vaulting of the aisle. Having reached that level, the original scheme was abandoned and it was decided to continue upwards to the full height of the roof of the centre aisle, thus forming small transepts as at Beverley.

Several considerations seem to point to the conclusion that the present St. William window originally consisted of two separate windows of fifty panels, each having a row of donors across the bottom. It is probable that these were either already fixed in the small transepts on either side of the choir, which would then be only half their present height, or were ready for them. One window evidently represented the life and death of the Saint, and had each vertical row of lights coloured, blue, red, blue, red, blue, and the other, the miracles at the tomb and shrine, coloured, red, blue, red, blue, red.

Some few years later, probably when a donor, Cardinal Longley came along with an offer of a window twice the size representing the life and miracles of St. Cuthbert, the little transepts were raised to their present height as at Beverley, and the St. William window in the south aisle fixed on top of the one in the north. A second row of donors half way up the window would not be required, and they would be eliminated, which probably accounts for the row of blank panels above the second transom and the curious fact that two of the panels of donors represent the same persons twice over. One of these, as Dean Purey-Cust suggested,<sup>2</sup> may possibly have belonged to the other window.

A certain amount of adaptation would be necessary to fit the two windows together, which would account for the fact that square panels have been altered to fit cusped window heads. Possibly a row of panels was pushed higher up or moved lower down, than the position it originally occupied. This seems to have been the case in the *King Edward and Queen Eleanor* series.

In order to prevent the scenes connected with the translation, which seem to be connected with those of the life of the

<sup>1</sup> *Fabric Rolls of York Minster. A Defence of the History of the Metropolitan Church of St. Peter, York.* New Ed., 1863.

<sup>2</sup> *Heraldry of York Minster*, Vol. II, p. 286.





PLATE I.

Top. Head of the Mother from Baptism subject. Panel 17.

Bottom. Head of St. William from *the Saint in Solitude* subject. Panel 23.





PLATE II.

Treatment of subsidiary groups in backgrounds.



Saint, from overflowing into the next section containing the miracles, the transom was fixed one row higher, thus making thirty panels in that section as opposed to twenty-five in the others. Had not this been done the incidents of the translation would have had to be placed, not one, but two, rows higher up in order to be seen, for the first row of the third section is almost entirely hidden by the transom. Most of this is, of course, pure hypothesis; but at any rate it serves to give the reader an intelligible conception of what possibly occurred.

Enlargements and additions to windows were by no means uncommon. At Exeter in 1389 although the east window had been fixed less than seventy years previously, it was looked upon as too small and was taken out and made larger, new painted glass being added to the old. At Eton College in 1445-6, John Prudde, of Westminster, King's Glazier, was paid "for various subjects for enlarging the west window of the chapel."<sup>1</sup> At Great Malvern, the east window representing the *Passion of Our Lord*, has evidently undergone some alteration or modification, for some of the canopies, although facsimilies, have been carried out in a different technique.

From a technical standpoint the window is most interesting, and from the artistic point of view, in spite of certain economies in labour and effort which have been practised, and some inequalities which will be pointed out later, it is difficult for one who is himself a practical glass painter, to speak of it in language which will not appear unrestrained. It is certainly one of the finest examples that the York school of glasspainting ever produced. Some of the panels, such as *St. William in solitude*, Plate I, *St. William received by the King of Sicily* Plate II and *St. William crossing Ouse Bridge*, are, when judged in the right perspective of the then available knowledge of composition, figure drawing, and draughtmanship, as fine as any other contemporary works in glass painting. Some of the heads, for sheer technical skill and handling, are truly wonderful. Not only the principal group in a panel, but the secondary figures also, are finely composed. Instead of standing around like so many nine-pins, the figures in the background are generally grouped in pairs. One inclines his head gravely, whilst another whispers in his ear, as they discuss and comment upon the subject in hand, or the scene being enacted before them, Plate II. Such emotional touches are rare in medieval art which was generally satisfied with the diagrammatic merely. Indeed the present writer can recollect off-hand but one other example, though there must be plenty of others. That is a thirteenth-century carving from the Abbey of Royaumont now in the Abbey of Saint Denis near Paris, representing two monks reading, and evidently discussing, a passage in a book. In this one can almost see their minds at work.

In the best panels the draughtsman has gauged the scale of the figures to a nicety. This is particularly true in the case of

<sup>1</sup> Willis and Clarke. *Architect. Hist. of Univ. of Cambridge*, Vol. 1, pp. 393-394.

the children, which, in this window, are real children. A good example is the child propped up against the shrine in P.68. 0.90.<sup>1</sup> In the west window of St. Martin's, Coney Street, 1437, and therefore some fourteen years or so later than the St. William window, an acolyte in the foreground of the *Death of St. Martin* scene, is not a child at all but a mere doll.

The draughtsmanship of the horses, in the best panels, is almost beyond praise. Whether they be a man's horse (P.36. 0.38), a lady's palfrey (P.29. 0.29), or a carthorse (P.46. 0.49), they are animals of bone and sinew, with plenty of action about them, Plate III. Compare these with the horses in the St. Cuthbert Window c. 1450, such as those in the panels representing the *Angel on the horse* and the *Horse pulling down thatch*, which are shapeless creatures that do not reach higher than a third or halfway up the panel. This feeling for movement and action is also to be seen in many of the figures both human and diabolic. The demon in the *Young Scholar captured by the Devil* (P.6. 0.6) Plate IV is a bustling and business-like fiend who pounces upon and grabs the scholar who makes frantic efforts to escape from his clutches. In St. Martin's, Coney Street, in the *St. Martin and the Devil* subject, the arch-fiend is a snivelling little creature with the aspect of a lost child crying to a policeman. In still later work—as at Fairford for instance—the demons have lost all fiendish characteristics or terrifying aspect, and appear merely mildly humorous.

On the other hand, it may be stated by way of criticism, that considerable economy has been practised in the making of new cartoons. The number of times in which whole compositions have been used over again to represent an entirely different subject, drawings altered so as to represent something else, subjects made up of figures and details culled from others, and similar makeshifts adopted, in order to economise time and effort, is indeed surprising.

Thus P.74 (0.67) which Dr. Fowler, describes as a *Hump-backed boy cured*, has been used over again, with the omission of the figure of a spectator, to represent a *Drowned child recovered at the shrine*. P.99 (0.87).

P.68 (0.90) represents a mother who has brought her sick (or drowned) child and propped him up against the shrine whilst she prays for his recovery. A spectator in the background points with fore-finger at the child.

By eliminating the figure of the child and painting spots all over the face and hands of the mother, we get a new panel P.100. (0.95) representing a *Leprous woman cured at the shrine*. The spectator in the background now points at nothing at all.<sup>2</sup>

The figure of the lady (turned over so as to face the other way), appears a third time in P.77 (0.72), which represents a

<sup>1</sup> The numbers of the panels are those adopted by Dr. Fowler in his description of the window, *Yorks. Archæol. Journal*, vol. III, where P stands for Panel and O for the Order he suggested.

<sup>2</sup> Illustrated by Rev. F. Harrison. *The Painted Glass of York*. S.P.C.K., London, 1927, p. 104.



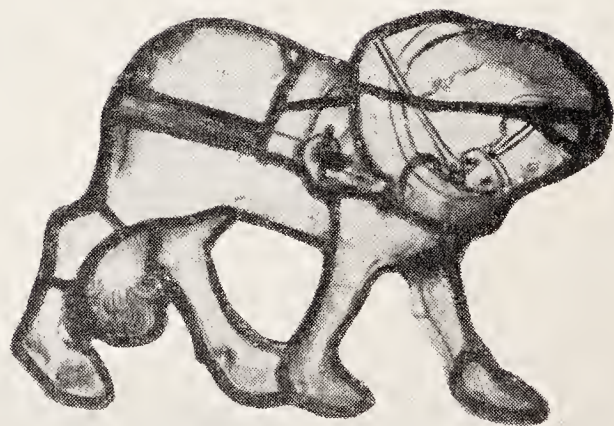


PLATE III.  
Draughtsmanship of the Horses.





PLATE IV.

St. William Window (c. 1421) and West Window St. Martin, Coney St.,  
York, 1437, compared.

Top. St. Martin and the Devil.

Bottom. A young scholar captured by the Devil. (P.6 0.6)



*Paralyzed man cured.* This panel also contains the blind man in P.48. (0.66) and the shrine and the old man in an attitude of prayer on the left of P.67 (0.70).

In one case four separate compositions have been got out of two cartoons. Thus P.96. (0.96), represents a *Dropsical man approaching the shrine*, and P.48. (0.66) a *Blind man anointing his eyes with oil that drips from it*. By combining the figure of the dropsical man in the first panel with the drawing of the shrine in the second; and the cripple in the second, with the shrine in the first, we get two new panels. P.62. (0.63) and P.97. (0.74) illustrating more cures at the shrine.

A group of two ecclesiastics delivering or receiving a letter to or from a Pope, in P.11 (0.11) has again been used, with slight alterations, in P.102. (0.13).

P.101. (0.100) representing a *Dropsical woman approaching the shrine* (Fowler) is made up of the figure of the woman poisoned by eating a frog, in P.66. (0.69). In P.66 the woman is in blue and she holds her belt in her hand which she is unable to wear on account of her swollen body. In the dropsical woman scene the belt has been eliminated and the hand now holds nothing at all, whilst the blue drapery has been changed to red and altered so as to expose her swollen body, Plate V. The shrine she is approaching is the same as in the panel representing a man offering a wax leg. (P.87. 0.92). Plate VI.

The heads of the woman in a dog-kennel head-dress in Panels 44, 69, and 74, appear to be all from one drawing or copy of a drawing, as do the heads of the Popes and an ecclesiastic in Panels 10, 22, 33 and 102. The last has all the faults we should expect to find in the work of a learner or copyist, and the heads of the two dead archbishops and a pope in Panels 19, 28 and 43 are all more or less copies of each other; but which one is the original it is impossible to say.

A close technical study of the window gives us a fairly clear insight, even if it does not provide exact knowledge and precise information, as to the manner in which these large examples of medieval art were produced.

There were evidently at least three draughtsmen or cartoonists at work, whom we will call A, B and C.

Draughtsman A's compositions are broad and legible. He gauged the scale to a nicety and the figures are neither too small or too big. His horses are fine creatures, stepping out with will and able to carry a rider with ease. To him can be attributed panels such as *St. William crossing Ouse Bridge* and the others previously mentioned.

Draughtsman B's horses are much smaller. Some of them as in P.38. (0.36), *William met at Dringhouses*, have their four feet together and their heads down in the manner of a buck-jumper that tries to unseat its rider. He also showed the hoof and shoe as it appears when seen from underneath and not sideways. The horses' heads have a small and pinched look about them.

Draughtsman C made the uncommon mistake of drawing his figures too large to fill the space comfortably. He does not seem to have worked on many of the figure compositions in the window. Two of these were probably the so-called P.104. (0.102) *Woman after ordeal by fire showing her hands* (Fowler) and P.105. (0.103) *The same woman giving thanks at the shrine* (Fowler). These two panels, to the present writer at any rate, have a feeling about them quite distinct from other panels in the window.

There was still a fourth draughtsman, evidently a learner or apprentice; who made up scenes by combining heads and details from cartoons of other panels in the window. There is unmistakable evidence of this in P.44. (0.44) *St. William lying in state*. The head of the Saint comes from P.43. (0.43) *St. William dying*, and it has again been used in P.28. (0.31) *The deaths of Pope Eugenius, St. Bernard, and Archbishop Murdac*. The old man's head in the background appears again in P.37 (0.37) which is also a made-up panel. The head of the woman comes either from P.69 (0.71) or P.74 (0.67) which are again alike. The kneeling old man in the foreground is a tracing of the old man in P.103. (0.101), but turned over so as to face in the opposite direction, Plate VII.

*St. William received at Micklegate Bar*, P.37. (0.37) is evidently another made-up subject. The figure of St. William on horseback is evidently adapted from the previous panel P.38. (0.36) *St. William received at Dringhouses*.

As we might expect from these pieced-together designs, the general effect, whilst not bad, is confused and jumbled, and the panels lack legibility.

So much then as regards draughtsmanship. When we study the technique of the painting we can again distinguish the work of four different figure painters. Some of them might have been, and probably were, identical with the previously-mentioned draughtsmen, but whether this was so or not we have no means of knowing.<sup>1</sup>

Figure painter No. 1 painted the under edge of the eyelid and the pupil of the eye all at one stroke of the brush just as one would write a comma lying on its side.

Artist No. 2 who evidently did such panels as *St. William received by the King of Sicily*, P.27. (0.27), Plate VIII. *St. William in solitude*, P.23. (0.28) Plate I, *The King Edward and Queen Eleanor series* and others, was most accomplished. In fact his heads are as fine as anything ever done by the York School. The iris of the eye is formed by a small circle and shaded so that the pupil does not appear like a black dot in a white circle. The line of the nose is varied from as fine as a hair to an eighth of an inch or more wide in the shadow parts, and all done at one stroke of the brush. The traced lines delineating locks of hair and of beard, are emphasised at the edges only and not all over.

<sup>1</sup> In the Agreement made in 1405 between the Dean and Chapter and John Thornton of Coventry, Thornton was to design the window (*Portro-iabit*) with his own hand but he was only to paint it "in so far as may be necessary." (*Et etiam depinget quatenus opus fuerit* :)





PLATE V.

Cartoon used twice.

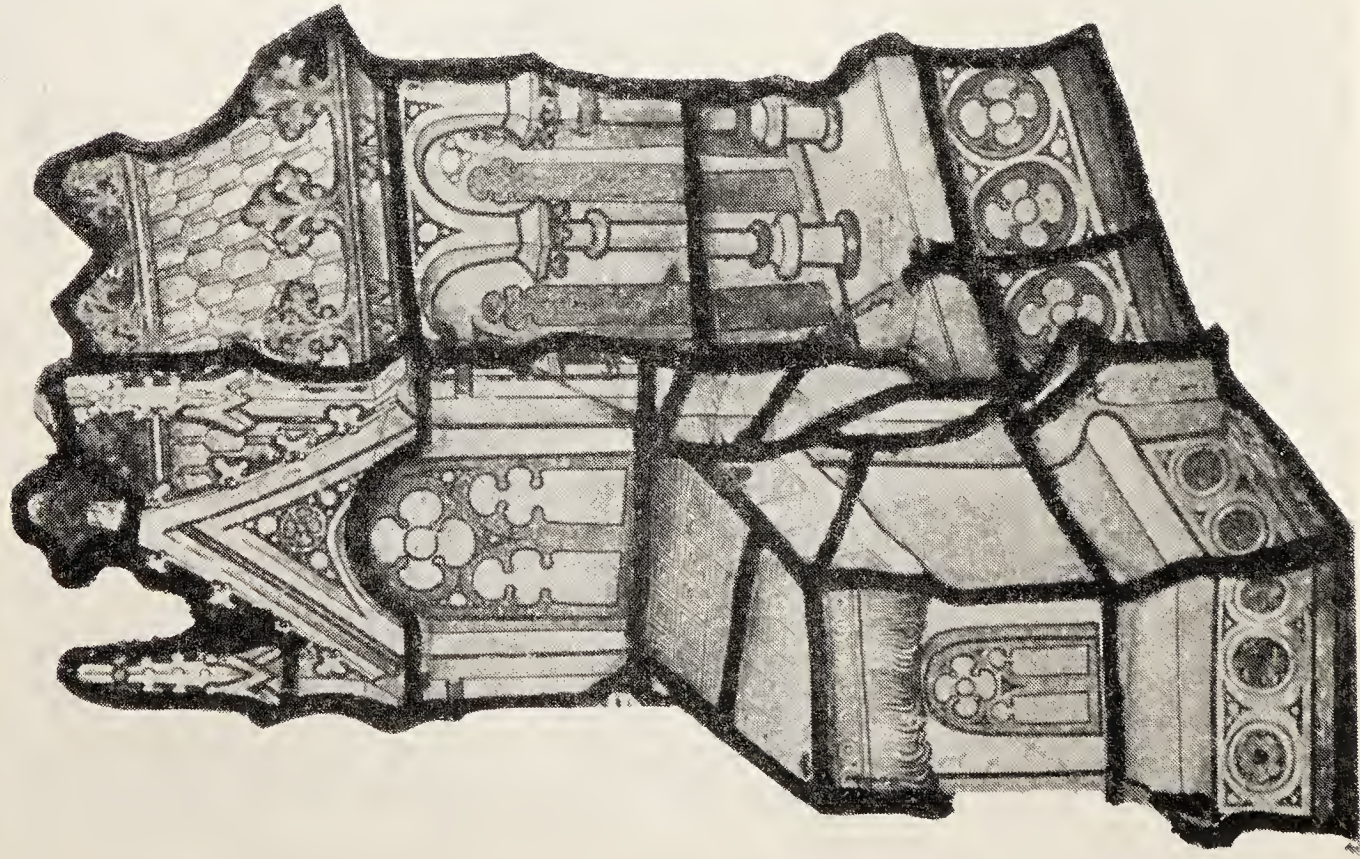
Panel 101.

Poisoned woman approaching shrine.

Panel 66.

Woman poisoned by eating Frog cooked  
in bread.





Panel 101. Poisoned Woman  
at the Shrine.



Panel 87. Man offering a wax leg  
at Shrine.

# PLATE VI.

cartoons used twice.



No. 3 who did the head of the Lord Mayor in P.45 (0.45) Plate VIII and similar heads was far less skilful and artistic. He showed the under edge of the eyelid by two lines. His heads are over-painted; and he over-emphasised the hollow of the cheek.

The striking difference between the work of these two, is very obvious where, in one case, we find them both painting a head from the same drawing of a kneeling old man which has been used twice, firstly in P.103. (0.101), the so-called *Ordeal by Fire* and again in P.44. (0.44) *St. William Lying in State*, Plate VII.

No. 4 was a poor hand, but he does not appear to have done very many of the panels. Perhaps one of these is P.90. (0.91) *Taking a cast for a waxen leg*, where the heads lack modelling. The eyes are merely black dots.

There is one head in the window, that of the *Child taken out of the Ouse*, P.70. (0.86) which is so extremely bad that it can only have been the work of an untrained hand and it is probably a repair piece.

Turning to the ornamental backgrounds we again find that at least two separate hands were at work. The sea-weed pattern diapers in panels such as P.50. (0.50) and P.88. (0.93) is most beautifully designed. It flows with the utmost regularity and fits the most difficult shapes perfectly. On the other hand in panels such as P.11. (0.11) and P.90. (0.91) it is lame, poor, and distorted, Plate IX.

It may be asked, is good figure work combined with good ornament? If this could be answered, it would provide a clue as to whether both figures and ornament were the work of one individual. In some cases, such as P.90. (0.91) as we have seen, weak figure work is combined with poor ornament but in P.11. (0.11) though the figure work is satisfactory enough, the ornament is very lame.

It is worth while enquiring also what evidence there is as to the way in which the window was produced, whether by a compact body of men working together in the same shop, as in the case of the great East window in 1405, and the well-known instance of the windows for St. Stephen's Chapel and St. George's Chapel, Windsor in 1352, or whether it was designed, and in part painted, by some principal artists who supplied cartoons to be carried out by sub-contractors in their own shops, as in the case of King's College, Cambridge, in 1526.

As regards the former alternative, there is no evidence, apart from the two instances quoted, of windows being produced under that system.

The second alternative is the more likely. Several considerations seem to point to this. Firstly the great size of the window, which makes it doubtful whether any one firm would have been able to handle so large a job. According to Mr. George Benson<sup>1</sup>, by superficial measurement, it is roughly half the size of the Great East Window which took three years to do. But against

<sup>1</sup> *Ancient Painted Glass Windows of York*, pp. 86 and 105.

this must be set the much larger area of tracery in the East Window and the fact that the St. William window has only thirteen subject panels fewer in number. Every glass-painter will agree that it is not so much the size of each panel—and in this case there is not much difference—but the number of different subjects which have to be represented, that takes the time. Time would be a consideration. Contrary to the generally accepted opinion, the sore task that “does not divide the Sunday from the week” was no novelty in the middle ages. As the present writer has previously pointed out<sup>1</sup>, the windows of St. Stephen’s Chapel, the Chapter House, and St. George’s Chapel Windsor, were all turned out within a period of fifteen months. Another example is the Sainte Chapelle at Paris, which was built and filled with glass (with the exception of the rose and probably one or two other windows) within three years.

Nearly every contract for windows contained a clause stipulating that they should be completed within a certain time. John Thornton agreed to do the Great East Window within three years, and the contractors for the gigantic windows of King’s College, Cambridge, agreed to complete six of them within twelve months and twelve more within the following three years.<sup>2</sup> Nor was the St. William the only window which was being painted at or about that time (1423). As the Rev. Chancellor Harrison has shown<sup>3</sup> not only the Bowett, Parker, and Wolveden windows in the North Aisle, but also the eight clerestory windows in the west end of the Choir were all being inserted just about that time.

The number of workmen available cannot have been great. We have no exact figures, but we get some clue from the wills of York Glass Painters who left bequests to their workmen. John Chamber (d. 1450) the younger had three “servants” but does not mention apprentices, though we have reason to believe that John Witton was one, and there might be others. He also had a son in the business. Thomas Shirley (d. 1481) mentions two workmen by name as well as “other men and women servants.” Robert Preston (d. 1503) speaks of one apprentice by name, but there were evidently at least two more, as he directs that his tools should be divided evenly amongst them. Sir John Petty (d. 1508) does not mention any apprentice, but speaks of his “two servantes” and his “scribe” or bookkeeper. William Thompson (d. 1539) had five workmen, but one of these, Richard Pille, was probably a partner.<sup>4</sup>

Whilst, then, we have no exact knowledge of the number of trained glass-painters available we know it cannot have been large, as the number was governed by the strict rules and regulations of the glaziers’ gild as regards the number of apprentices. It

<sup>1</sup> *Notes and Queries*, 12 S, VIII, 173. Feb. 26th, 1921.

<sup>2</sup> *Winston Hints on Glass Painting*, 2nd ed. 1867, p. 390 (note).

<sup>3</sup> *The Painted Glass of York*, p. 95.

<sup>4</sup> *Vide, Glass Painters of York*, J. A. Knowles. *Notes and Queries*, 12 S, VIII and IX, *passim*.





PLATE VII.

Panel 44.

Panel 103.

Two different figure-painters both working from the same cartoon.





Head of the King of Sicily. (P.27 O.27)



Head of the Lord Mayor of York. (P.45 O.45)

# PLATE VIII.

The work of two different figure-painters compared.

Note the simplicity of the one as compared with the laboured effect of the other.



was enacted that no glass-painter could take a youth to learn the business for a less period than seven years, and but one at a time. Sons, of course, were not included. When the first apprentice had completed four years' service the master might take another, and so on at the beginning of every fifth year. Thus, after being in business for twenty years the master would have had but five apprentices and one just beginning.<sup>1</sup>

If we are right in assuming that the painting of the window was put out to be done by three or four sub-contractors, from cartoons supplied by the principal firm, we should, at first thought, naturally assume that each of these would be given a section to carry out in its entirety.<sup>2</sup> But both internal evidence and practical considerations are opposed to this view. We do not find panels which show the greatest technical accomplishment, nor those with one particular pattern of architectural framing, grouped together in one part of the window. Minor details of treatment—such as the shape of the crosses on the pallium—vary, in panels which cannot have been placed far apart from each other. In some the crosses are *fitchy*, in others they are *paty fitchy* and so on.

From practical considerations also it is unlikely that the window would have been put out a section at a time. The only object in sub-letting the painting of the window, would be the saving of time, in other words in completing the work as quickly as possible. The designers would have necessarily to work according to the chronological events in the history of the Saint starting from his birth and working onwards through the various events in his life and ending with his death and the translation of his relics. They could not dodge about, drawing here an incident in his life, and there one of the miracles at the tomb, so as to keep three or four sub-contracting glass-painting firms going. Had they begun at the bottom of the window and worked upwards by easy stages, supplying cartoons to the first firm to work from as completed, the other sub-contractors, whom we may call firms B, C and D, would have been standing by without being able to make a start. By this method Firm D would not receive their first cartoon until Firms A, B and C had finished their work. Therefore no time would have been saved and the work might just as well have been given to one firm to complete in its entirety. The evidence seems to point to the conclusion that the principal firm of designers and glass-painters (A), having completed (say) twelve cartoons, dealt them out (say) three to themselves, and two or three to each of the sub-contractors, Firms B, C and D,

<sup>1</sup> *Ordinances of the Glaziers, 1463. York Memo. Book*, Ed. by Dr. Maud Sellars, Surtees Soc., p. 208.

<sup>2</sup> The sub-contractors at King's College, Cambridge in 1526 were given two windows on either side of the chapel to carry out complete from cartoons supplied to them by the principal contractors. Winston., *Hints on Glass Painting*. Appen. B.

who carried them out according to their own regular shop practice.<sup>1</sup>

There seem to be a fair amount of evidence in support of this in the architectural framing of the following series of panels :—

	(Fig. 1)
<i>William sets out for Rome to sue for pallium</i>	} Frame
<i>William receives pallium from Pope Anastasius</i>	
<i>William returning with pallium by sea</i>	} Pattern B
<i>William received by his uncle at Winchester</i>	
<i>William met at Dringhouses</i>	} Frame
<i>William received at Micklegate Bar</i>	
<i>William crossing Ouse Bridge</i>	} Pattern B
<i>William kissing the Cross at York Minster</i>	
	} Frame
	} Pattern A

It is tolerably certain that these panels came together and in that order. The element of doubt as to the exact order of panels with square framing in other parts of the window, makes it hazardous to draw any definite conclusions from them. But whenever several different sub-contractors are associated in a work of this kind, there must be some guiding hand, and in this case there is a fair amount of evidence to suggest that the hand was that of John Thornton who had completed the Great East Window in 1408.<sup>2</sup> He was alive three years or more after the window under discussion (the St. William window), was, as far as we know, completed.<sup>3</sup> After finishing the Great East Window he evidently set up in business for himself, for in 1410 he was made a freeman of the city, an honour, for which he would not be eligible, whilst he was an employee of the Dean and Chapter. It

<sup>1</sup> As every student of medieval art and craftsmanship knows, there was no such thing as the procedure which was advocated some years ago by the adherents of the "arts and crafts" movement who maintained that in the middle ages a piece of work was carried out from first to last by one hand, or at most, with the assistance of an apprentice or learner. For as Alfred W. Pollard points out, *Early Illustrated Books*, p. 3., "Subdivision of labour is not by any means a modern invention; on the contrary, it is impossible to read a list of the mediaeval guilds in any important town, without being struck with the minuteness of the sections into which some apparently simple callings were split up."

Thus an illuminated MS., instead of being produced, as is popularly imagined, by the hand of a single monk in a monastery, was actually the work of five or six different tradesmen. One wrote the text, another illuminated the capital letters, a third the ornamental borders, a fourth the miniatures with pictures, and so on, and they were all united into one gild called, at York, the craft of "tixtwriters, lumers, (i.e., illuminators), noters, turners, and flurisschers." *Vide* the dispute between a priest—evidently a medieval "art-craftsman"—who was accused of writing books and offering them for sale, and the above gild in *York Memo. Book*, ed. by Dr. Maud Sellars, Vol. II, p. lxx. Surtees Soc.

<sup>2</sup> The contract for the window was made in Dec., 1405 and it was to be completed within three years. That this stipulation was carried out is shown by the date 1408 at the top of the tracery.

<sup>3</sup> *Vide John Thornton of Coventry and the Great East Window of York Minster, Notes and Queries*, 12. s., vii, 481.





PLATE IX.

The work of two different ornamental painters compared.

Note the feeling for radiation and growth in the one, compared with the lame and poor ornament of the other.







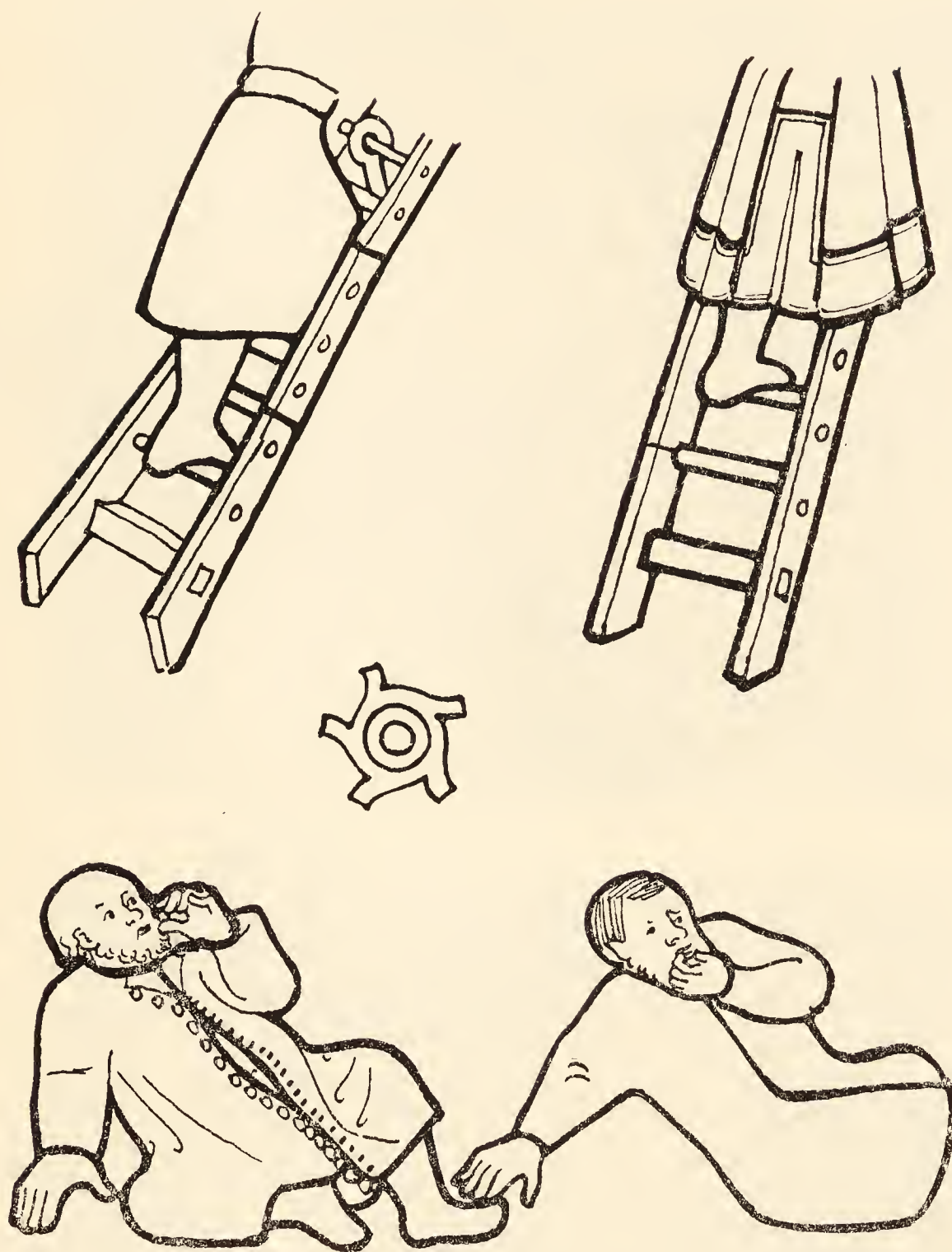


Fig. 2.

Top Left. Man hanging tapestry. St. William Window.

Right. Descent from the Cross. Great Malvern.

Bottom Left. Man eating mortar from the tomb of St. William.

Right. One of the men in anguish. Great East Window.

would be perfectly natural, therefore, that the chief part in the design and execution of the St. William Window should be entrusted to him; and when we come to examine the details, the resemblances to the Great East Window are striking to a degree. Thus in pose and gesture the *Man eating mortar from the tomb of St. William*, P.64, is exactly similar to one of the men in anguish. P.88 in the Great East Window, Fig. 2. The treatment of the horses particularly those of "Draughtsman No. 2" mentioned previously, is extraordinarily alike in the two windows. In both cases the



Fig. 3.

Top Left. St. William Window Panel 80.

Right. Great East Window Panel 97.

Bottom Left. Great East Window Panel 97.

Right. St. William Window Panel 38.





# PLATE X.

St. William Window and East Window, Great Malvern Priory, compared.

Top. Head of Judas Iscariot in *Last Supper*, Great Malvern.

Bottom. Head of a cripple at the Shrine (P.77 O.72) St. William Window.

Note the three curls at the bottom of the beard in each case.







horses are rather small and their heads have a rather pinched look. In groups of two or three animals, Thornton was fond of showing one horse as if straining at the bit, or munching the grass. His horses also have a peculiar bump in the curve of the neck. In both windows, in the heads of old men seen in three-quarter view, a division in the hair of the beard and the outer edge of it, forms a decided triangular shape with the hollow under the cheek bone.

But no matter to what extent Thornton had a hand in the St. William window, it is practically certain he cannot have had anything to do with the St. Cuthbert Window opposite, which was executed some twenty-four years or so later and probably some years after his death. For in spite of one or two striking conceptions in design, such as the large figure of the Saint surrounded with kneeling figures of members of the House of Lancaster, the window is in every way inferior. The composition of the subjects is feeble, and to take but one instance of the draughtsmanship—that of the horses—is extremely poor. As previously mentioned, in some panels such as No. 24, *Angel on White Horse* and No. 29 *Horse pulling down thatch*, the animal is a mere toy that does not reach up higher than a third of the panel.

There seems, on the other hand, to have been some connection, but one very difficult to account for, between the St. William window at York, and the East window of Great Malvern Priory. Technically, from a glass-painting point of view the latter work is very unequal, but in parts is most accomplished. When we examine the details of the draughtsmanship, several striking instances of similarities in treatment reveal themselves. The figures of the man on the ladder in the *Descent from the Cross* subject at Great Malvern is very like the *Young man hanging tapestry*, P.93. (0.97) at York Fig. 2. At Great Malvern the head of Judas Iscariot looking up at Our Lord in the *Last Supper* scene, is practically a facsimile of the lame man looking up at the Shrine of St. William, P.77. (0.72) Plate X. At York the circular ornament with tangential spokes, on the end of the belt of King Edward in the scene where he is falling from his horse, P.78. (0.78) Fig. 2, is practically identical with the ornament on the belt of St. Joseph of Arimathea at Great Malvern.<sup>1</sup>

It would be hazardous to draw any definite conclusion from these resemblances. They cannot have been accidental, and the similarities of details might be accounted for by the designers using cartoons, or excerpts and tracings from cartoons, which had previously been used at York.

<sup>1</sup> These and other similarities have been catalogued and discussed by the late G. McN. Rushforth in his *Medieval Christian Imagery*, pp. 50-54.

## A NOTE ON PEWS AND STALLS.

By J. S. PURVIS, M.A., D.D., F.S.A., F.R.Hist.S.

The occupation of a private pew or stall in a parish Church might be, particularly in Tudor times, not only a mark of social standing, but also a source of disputes and even of disorder. Examination of an extended series of Tudor documents shows clearly evidence of both these tendencies during the period covering the post-Dissolution religious changes of the mid-XVI Century, at any rate in Yorkshire. The rapid and often violent social movements of the period are reflected in an increasing number of claims to use private pews or stalls in parish Churches. This did not affect so much the "new nobility" as the members of the middle class who had acquired wealth through the dispersal of the monastic lands and the accompanying economic adjustments. An examination of any large collection of documents, such as that in the Diocesan Registry at York on which these remarks are based, shows that disputes over pews, which had been recorded but little in earlier times, became more frequent about the year 1540 and onwards, and were almost always between members of the old landed families on the one side and those who were advancing in the social scale, the newly enriched, on the other; the matter had become one of social precedence. The York records show the impact of these tendencies as they revealed themselves through the proceedings of the Consistory Court, of the Ecclesiastical Commission or of the Visitation machinery. There are two main considerations which are found to affect almost all the instances; the first of these is the distinction between a pew in the chancel and a pew in the nave, and the second is the claim to hold a pew by right either of birth or of the occupation of a particular property. One or other, or both, of these may be detected under almost all the cases of disputes over pews which are found between the year 1540 and the end of the XVIII Century, yet neither of these was in itself based on a claim which could satisfy the requirements of the law concerning pews.

Discussion of the law relating to the holding of pews may therefore be desirable before any attempt to inspect actual cases; to set out this law in some considerable detail will have the advantage of making clear many features of the cases themselves. Briefly, then, the law was that every parishioner has a right to a place in his parish Church where he may sit, kneel, or stand during divine service. But obviously he cannot have the right or power to choose the position for that place which for one reason or another pleases him best. In the general interest, and also in order to give effect to considerations of rank, office or right, the places



or pews must all be allotted by some impartial authority having the requisite knowledge of all the circumstances of each person in the parish. In practice, the most suitable and natural arbiters were the Churchwardens. Now, for the closer examination of the matter and of procedure arising out of it, the *Directions to Churchwardens*, by Prideaux and Tyrwhitt, London 1830, gives perhaps the best account from all points of view. Op. cit. p. 111.

“As the churchwardens have the care of the church, so also have they of all the seats therein; and not only to repair them, but also to see that good order be preserved in them, and no disturbance or contention made about them in the house of God; but that every man regularly take that seat, and that place in it, which he hath a right to, whether it be by prescription, or that he hath been placed there by the order of the bishop, or by themselves.”

“For if the lord of the manor, or any other gentleman of the parish, having an estate, and an ancient messuage therein, have immemorially, they and their ancestors, sate in an isle of the church, buried their dead there, and always repaired the same, they can prescribe to the said isle, and cannot be dispossessed of it, either by the churchwardens, the minister, or the ordinary . . . for such an immemorial possession will carry with it a presumption that the isle was first built by the founder of it, with the consent of the minister, patron and ordinary, with intent to have it solely to himself.”

(On the other hand, if an aisle be always repaired at the common charge of the parish, the constant sitting or burying there without using to repair, will not gain any peculiar property or pre-eminence therein, but the ordinary may from time to time appoint whom he pleases to sit there).

“And upon the same reason, should now any gentleman having a house in the parish, by the like consent of minister, patron and ordinary, build a new isle, and have a faculty from the bishop, to hold the same to the use of him and his family, to bury their dead in the same isle, and also to sit there for the hearing of divine service, on condition constantly to repair it, this faculty would give him a good title to the said isle. But no such title can be good, either upon prescription or any new grant by a faculty as aforesaid to a man and his heirs . . . (for his heirs may reside out of the parish, and the seat does not belong to the person but to the inhabitant while such) . . . but the said isle must always be supposed to be held in respect of the house; and therefore it must always go with the house to him that inhabits it . . . (heir or not) . . . For no one can claim a seat in church by prescription as appurtenant to land, though in the parish . . . but it must be laid as belonging to a house in respect of the inhabitancy thereof.

“And in like manner, may the lord of the manor, or any other inhabitant of the parish, dwelling in an ancient messuage within the same, prescribe to a seat in the body of the church, as appurtenant to such ancient messuage . . . which he and his

ancestors have been immemorially possessed of, and have always repaired the same, at their own costs and charges. And in like manner may an inhabitant, in respect of his house, prescribe to first, second, or third place in the same seat, which hath immemorially been repaired by him, and the rest that jointly sit with him in it. But this right cannot go to their heir; but is annexed to their houses, and must always go with them in the same manner . . .

“As to all other seats in the body of the church, which are repaired at the charges of the parish, they are at the disposal of the churchwardens, with the advice of the minister, but still in subordination to the bishop who hath the primary right of disposing and ordering of this matter in every church of his diocese.”

Since by general law and of common right, the use of all the pews in the body of a parish church is the common property of the parish, all parishioners are entitled to be seated orderly and conveniently, and the churchwardens should not accommodate the higher classes beyond their real wants, to the exclusion of the poorer. But a seating by a churchwarden does not give a permanent and exclusive right like a faculty, but is liable to alterations, as the circumstances of a parish may require. This may extend even to detaching the occupancy of pews from that of particular houses, as vacancies occur by death, leaving the parish, etc., so as best to provide for the general interest of the parishioners by preventing the growth of prescriptive rights to pews. Yet if a house has always had a particular pew, it may be a fair ground for churchwardens as their own act to place the new proprietor there. If a house to which a pew is appurtenant is let, the tenant is entitled to the pew.

This sets out perhaps sufficiently the general position of the law in its main provisions. Evidently the law did not anticipate a disturbance of one parishioner by another in the right to use a pew, and the most likely cause of trouble might be an improper claim to a pew by right of birth or social standing instead of a claim by right of holding certain property in the parish and of discharging the obligation to repair. There is a clear distinction between private pews or stalls in the chancel, in a chapel or in a side aisle or “quire,” and pews in the nave. Prescriptive right to the former where it existed was likely to be stronger, but an essential condition was still that the obligation to repair had been fulfilled. As for pews in the nave, a certain prescriptive right might be claimed because of the holding of a particular tenement, but not by sons to a pew which their father held by such a right, if their claim rested solely on being his sons and not on the holding of the same tenement and the discharging of the duty to repair or to contribute to an assessment for repair according to their rated share.

The documents to which we turn first are those which help to illustrate the conflict over pews as marks of social standing. It is to be noted that religious changes had no effect whatever on this conflict; disturbance due to this cause was as frequent and as



violent in the reign of Mary as in that of Elizabeth. The references to this conflict in the Visitation records are of course usually brief, and here we must depend entirely upon Elizabethan material, for none of an earlier date referring to parish churches is available. Attention must be drawn, also, to another curious feature. In such records as churchwardens' accounts there are, from the early XV Century onwards, fairly numerous references to pew rents. *Churchwardens' Accounts* by Dr. J. C. Cox quotes many examples of such entries. But in the records before us, in Visitation material and in the Cause Papers and proceedings of the ecclesiastical Courts, any allusion to pew rents is of the utmost rarity, if not indeed altogether absent. Obviously, it would not be safe to argue from this that pew rents in the XVI Century were quite unknown in the Province of York, although in fact few of Dr. Cox's examples come from that province. It may be that reference to such rents did not appear to be proper or pertinent in the records which will be before us. In some other respects, the entries in the churchwardens' accounts show features which will be prominent in the Visitation and Court material. The rigid and severe social gradation observed in the allotting of pews is emphatically illustrated, and the important place of the Vestry in the actual assigning of pews is made evident repeatedly. At Pitlington, Durham, in 1584 the Vestry allotted seats or rooms in pews individually, an early example of a practice which later became widely prevalent. At St. Thomas, Salisbury, in 1628/9, it was ordered that "Any seat or pew that hath bene used by any of the XXIIII or by their wives not to be let to any other person but by the consent of a Vestrye according to the auntyent custom," where there is an incidental implication of the difference in importance of pews according to their position in the church, a difference of which consideration is never far below the surface in these proceedings concerning pews. At St. Edmund, Salisbury, after 1550, rents for seats rose in proportion to nearness to the pulpit. At Horley in Surrey, for example, half the foremost seats were allotted to the holders of special lands. At Ludlow there were common as well as private pews, and it was usual to sell places for pews, where the holder might build his own pew according to his own ideas. Our examples below will illustrate a fairly wide distribution of this practice in the XVI Century. The general conclusion from these churchwardens' accounts is that before the reign of Elizabeth there were definitely few pews in the majority of parish churches, but after her reign almost everywhere the whole area of the church was generally being portioned out by the Vestries, until we come to the definite seating plans of the XVII and XVIII Centuries, of which several examples are preserved in the Diocesan Registry.

The Elizabethan references to pews in the Visitation material are confined to the records of archiepiscopal Visitations, and are concerned almost entirely with disorder. The earliest is at Barnby Dun in 1575, a general statement that "ther is great dissention

amonges the parishioners about ther stalls." Nothing further is found until 1590, when in three parishes, two of them in York and one in Naburn, it was noted that the stalls wanted repairs. But in the same year two other cases refer to quarrels; at Pannal, Edwd. Lethome "dyd misuse Tho. Wardman in his owne seate in the church att service tyme and thruste him furth of his seate by vyolence." At Marfleet, two women were presented for "un-reverent behaving themselves in church in strugling about a stall." At Kirkheaton in 1594 a man charged with detaining a stall which had belonged to the parson "tyme out of minde" was allowed by the Archbishop's Official to retain it, as he showed that he had been placed in it fifteen years earlier, and at Raskelf Mr. Tankard was admonished to "reform" his pew into its previous "form and compasse," which suggests encroachment beyond his allotted floor space. In 1598, at Thorner, Robt. Herrison was presented for "pullinge by force Chris. Austroppe out of his stall before prayer tyme on the Saboth day," for which he was excommunicated; at Kirkby Malloughdaile, Willm. Anderson son of Willm. Anderson likewise, "for maiking disorder in the Church in tyme of divine service and pullinge Hen. Anderson furth of his stall." These examples, from the books in Class R. VI. in the Diocesan Registry, show a persistent if not very frequent source of trouble, and it may be convenient to follow this matter a little further here before turning to the more general consideration of the allotment of pews.

This trouble of disorder about pews was by no means a consequence of the Elizabethan religious settlement; some of the worst examples are found in Marian times, or earlier.

Consistory Court file R. VII. G. 544, of the year 1553.

The file includes first a petition from Robt. Jacksonne of Ganthorpe and Dorothy his wife, "That wher as your Orators the sixth day of June instante beyng . . . in herynge of the holly and blessed Communyon and other service within his paroche church of Tyrryngton . . . then and there one Richarde Barton (and ten other persons named) with dyvers other rioutouse mysdemeanyd persons and perturbors and breakers of (the peace and the laws) to the nomber of xvi persons . . . arayed with swords bucklers pykes staves ironforks and other weapons defensive with force and armes . . . and in most riotouse maner dyd make one assaulte and affraye uppon your said Orators within the paroche church of Terryngton And . . . dyd expulse and with violence ejecte and castefurth the said Dorothe . . . oute of her pewe or stall and the same did breake in peces wherein she ever haith beyn accustomed to sytt and knele And her dyd sore hurte wounde and bayte . . . and hadde mured and slayne her but that good men rescued . . ."

In this case Robert Jackson was a churchwarden of Terrington. In the Attestations one witness deposed that he had seen the petitioner Dorothy "sitt in the said stall quyetlie by the space of iiii yeres before this suite beganne without contradiction of any



man . . . He saw Robert Barton . . . at the begynnyng of the mattyns come into the church with a piche forke in his hande which he did leve in his owne stall and went to the stall articulate and called unto hym one Henrie Prowde church warden of the church and demaunded of hym who buylded the stall and he said Robert Jackson had sett it up and then Robt. Barton pluckt it up and cast it uppe in the north yle of the church then beinge in the church xx persons at the least . . . He did se Robt. Barton assone as Dorothie was sett in the place wher the stall was come unto here and said Are ye sett ther ye shall not sitt ther And then she aunswered and said Yes Sir by youre licence, And then he plucke her owte of the stall and did swyng here so that he se her light againste the stowpe of the stall which was sett harde in the ground and then he harde Willm. Barton beinge in the stalle with Robt. Barton wif saye to Dorothie Gett the hence and thowe be well for fere it be not ware (Get thee hence if thou be well advised for fear it be not worse) And then the prest beinge in the pulpitt at the Communion tyme commaunded the churche wardens to sett rewl in the church." The not very convincing defence that Barton "did gentelie take Dorothie by the hande and bade her go sitt wher she shuld sitt for ther she shuld not sitt" probably failed.

A similar cause is from Glaisdale Chapel in 1555.

R.As.25/30.

James Wynder "dyd maliciously and violently pull Jayne Burton out of hir stall wher she was then knelynge." The articles of prosecution allege that "that Stall in whiche Jayne then dyd knell in, and out of which (she) was pulled by James Wynder dothe perteyne as it haythe of oulde tyme pertened and belonged as well by ould custome as by the appoyntement of the churche wardens of the Chapell of Glacedall unto the tenement or farmehould in whiche Myles Burton and Jayne his wyffe dothe now inhabet and dwell in . . . that although the Church or Chapell was about xx yeres syns taken downe and removed unto an other place wher it now standethe yet that notwithstandinge the stalles standethe . . . in the self same order as they dyd in the ould Chapell or Church before it wer removed." The offence took place "upon Lowsonday last past when the prest was redie to go to messe in Glacedale Chapell about ix of the cloke before none . . ." The defendant was "sitting in the quere," and according to one witness "did come in a furie" and said "he wold make here to know here better"—in this case, the defendant's wife, whose place he wrongly supposed Jane to have taken. Here we see the standard features of allotment by churchwardens, association of pews with particular houses, and social precedence. A later example, from the Ecclesiastical Commission Causes, was in 1597, a dispute between Robt. Kaye of Wetherby and Richard Kay, with Richard and Robert sons of Richard Kay. Here there is a suggestion of a long-standing disagreement, and of a practice of sending one of the junior members of the family to "keep places" for his elders. On one occasion Richard and Robert Kay found Thomas son of Robert Kaye,

"aged xiiii yeres," "sittinge in tyme of divine prayers, whom they and every of them or one of them greatly abusyd in twitchinge of him and thrustinge pinnes into his armes and buttockes or into one of them and then and there Richard Kay son of Nicholas Kay deceased did give to Thomas Kay a blowe upon his head eare or face, not onely to the disturbance of the divine service then in hand and disquietinge of the congregacion there assembled but also the evell example of other beinge there . . ."

On two occasions the Ecclesiastical Commission of York was called upon to decide in disputes concerning pews. In the first of these, the social aspect of the matter is very prominent, and the mind of the Court is evidently to guard against the setting up of any prescriptive right to a stall on the ground of family descent. The regard for nearness to the pulpit, and the encouragement of private building of pews, are also noteworthy.

R. VII. A. 6. f.35v. A.D. 1571.

"Forasmuche as contention haith bene moved of late betwixte the parties and others for stalles and seates in the quere called the Ladye quere in the Southsyde of the Chancell of the Church of Normanton by reason of certeyne armes sett upon the stalles ther And that neyther the Ladye quere nor the stalles be of any great antiquitie but buylded within the memorie of man and consideringe also that the same stalles be farre from the pulpit and not commodiouslie sett for suche as frequent the same stalles to here the worde of God preached and other devyne service saide Therefore yt is ordered that all the stalles within the Ladye quere shalbe taken up before the xv daye of August next comyng by the churchwardens of Normanton and set up in some other convenient place of the church as to the discretion of the churchwardens shall be thought mete provided alwaies that neither any armes heretofore graven upon any stalles in the Chapell or any other armes heretofore to be graven shalbe suffred to be sett up or to stande in or upon any stalle or pewe within the Church or Chapell leaste like contention growe hereafter by that occasion It is also further ordered that the gentlemen and gentlewomen being nowe by this order removed from the Ladye quere shalbe convenientlie placed neare the quere and the husbände men removed and set lower, and that no stalles be sett in the Ladie Chapell hereafter, onles yt be formes in the lower parte thereof for servantes Provided also that yt may be lawfull for anye that are disposed to build them selves newe pews in the Church so that no armes be sett in or upon the same, for the cause above rehearsed."

Another type of settlement comes from the Act Book of the same Commission for 1581, R. VII. A. 10, f. 136. This is from Kirkby Malzeard, where the heads of two families "have a dispute touchinge their stalls." It was ordered by the Commissioners that "bothe the stalles wherein they and their wiefes and families usuallie sit in the Church shalbe at their commune charges equally devided in two partes by the said Man" . . . of one the parties at variance . . . "and that done the said Battersby" . . .



the other party . . . "to have the choyse of one parte of either of the stalles . . . to thende that either of them their wieves children and servantes may sit severally in quiete from time to time." The Vicar and churchwardens were ordered to see this done. The same Mr. Man was in further trouble because on his own confession "he thrust one Mr. Kirkby furth of his stall in Kirkby-malserd Church in tyme of devyne service because he kept furth his (*i.e.*, Man's) wief." He was ordered for this to "protest quietness in the church henceforth" before the Vicar and churchwardens, "with which if they be contented he is dismissed . . ."

But the most interesting of the surviving Elizabethan records of the assignment of pews for a whole church comes from the Visitation Books. The volume indexed as R.VI.A.7 contains the records of an archiepiscopal Visitation of the Diocese of Chester during the vacancy of the See; it is the metropolitanical Visitation of Archbishop Edwin Sandys in 1578; the material is a mixture of presentments and of proceedings before the Archbishop's Officials of the Court of Audience. On f.87v begins the entry for the proceedings before the Archbishop in person, on 6 August 1578, in the hall of the Vicarage of Kirkbye Kendall, which includes a copy of the Archbishop's order for the allocation of pews.

" . . . quasdam lites et controversias inter quosdam parochianos . . . de Kirkby Kendall circa sedilia seu sedes et oratoria in ecclesie ibidem . . . ortas fuisse et esse ex ipsorum litigantium coram eo personaliter . . . comparentium informatione intellexerit, aliaque enormia in eadem ecclesia reformatione digna inspexerit et animadverterit . . . Igitur . . . idem reverendissimus pater . . . decretum interposuit ad dictas lites sedandas et dicta enormia in ecclesia parochiali de Kendall reformanda prout sequitur.

1. Inprimis that the Alderman recorder and such as be the aldermans brethren for the tyme beinge of the said Towne or Borroughe of Kendall shall from henceforthe have and enioye that queare or chappell (called corruptlie in former tyme St. Sondaie Chapell) latelie removed from the lower parte of the church and nowe placed on the lefte syde of the middle alley of the church, and shall therein sitt and knele to praye and to heare dyvyne service and sermons (without the lett interruption or molestation of any other person or persons) like as they have done and used to do by a certen space before this tyme.

2. Item that the Justices of peace and gentlemen of the parishe their wyfes and children shall have their places and seates in the chapell called the Marques or Lordes Chappell situate on the sowthside of the Chauncell of the church of Kendall there to praye and heare the dyvyne service and that none elles except the Justices and gentlemen their wyfes and children shall sitt or knele there to heare dyvyne service nor be permitted therunto.

3. Item that the scolemr. and his schollers for their places in the church shall onelie have and use the Chappell situate on the

North side of the chancell . . . and to thend that the same Chapell maye be made more fitt for the said Master and schollers That the Alderman and his brethren of the Borroughe of Kendall shall with all convenient hast at their onelie and proper costes and charges erect and place formes and seates rounde about the Chapell convenient and seaminge for the place and purpose.

4. Item that the organes standing as yet in the churche shall furthwith be solde, and the price thereof employed to the use and reparatyon of the parishe church of Kendall And that lofte and timber thereof wherein the organs now stande shalbe also presentlie taken downe and removed.

Item that with all spede after that the Alderman and his brethren . . . shall erecte build and set upp a faire and comelie Lofte in place where the roode lofte did heretofore stande at their owne proper costes and charges, wherein the Justices of peace and gentlemen with their wives and children shall sitt to heare sermons and divyne service if they will duringe the Sermon and service tyme, savinge that it shall and may be lawfull unto the Alderman and his brethren by force of this order and decree to have and take the timber and boordes of the Lofte to be taken downe where yet the organs do stand, and the same to employe towards the new erecting and settinge upp of the lofte for the Justices and gentlemen to sitt in at tymes of sermons as afore.

Item that the mynisters deske where he nowe useth to saie dyvyne service shalbe removed to the other syde of the myddle alleye of the church, and that a decent forme with a backe shalbe placed on that side of the alleye where the deske now standethe for the Alderman and recorder and the Alderman his brethren to sitt upon to heare sermons so that the same be done and made at the costes and onelie charges of the Alderman and his brethren, provyded also that sufficient rowmthe and place be lefte behynd the forme or seate for the parishoners to have accesse and regresse to and from their pewes and stalles in the church.

Item that the churchwardens of the church shall have the use of that stall at the church dore where they mynded to place the scollers and sitt there them selves if they will, or otherwise to place men there as they shall thinke convenyent.

Item that if the whole parishe will resolve to provyde and fynde a learned preacher, whereunto theye ar exhorted, to ioyne with the vicar of the church that by them two they may have everie Sondaie in the yeare a sermon to their great comfort and edyfienge That then all such stipendes and portyons of moneye as were wont to be geven to the organ plaier, and other unnecessary clerkes be wholie employed to the stipend of that preacher and the rest to be supplied by the benevolence of the well disposed parishioners of the parishe.

Item that Sir Thomas Boyneton knight is put in trust to see the premisses accomplished and done accordinglie."

(signed) E. Ebor.



Before turning to those cases which are concerned mainly with the allocation of pews, the Hutton Cranswick dispute may be noticed, with its blending of disorder with allocation.

R. VII. G. 2227. A.D. 1581.

The points of interest in this file, from Hutton Cranswick, are: that the part of the case which is recorded was set in action by an information to the York Ecclesiastical Commission; that it illustrates the allocation of pews by commissioners specially appointed, and the attitude of the parishioners; and that it shows again how great an effect might be produced by personal relations, and how frequent was the violent destruction of pews where some consideration of social precedence was an underlying factor. The record is incomplete; some previous history of the dispute is clearly implied, but no documents of this appear to have survived. The file is in too great detail, and there is too much repetition; especially in the depositions, for a full transcript, but the material is rare enough to warrant a somewhat copious treatment.

"Articles of information exhibited to the most Reverend father in God Edwyne Archbishop of Yorke primate of England and metropolitane and other his associates the Queenes majesties Commyssioners for cawses ecclesiasticall within the province of Yorke By John Hobman of Hoton Crancewicke within the dyoces of York yoman against Thomas Warter sonne of Gilberte Warter of the same yoman and Robert Skelton iointlie severally and in articles as followeth.

First he doth put and article that upon complaint made or informatyon geven unto this honorable courte on the behalf of the said Gilbert Warter and Thomas Warter his sonne toching a contraversye for and concerning a piewe, seate, stall, or knelinge place within the parishe church of Hoton Crancewicke chalenged to belonge to the said Gilbert and Thomas on thone parte and to John Hobman this compleynante on thother parte A commission was sent furth and directed by the most Reverend father the L. Archbishop of York his grace and other his associates aforenamed to John Hothome and Thomas Dowman esquires two of her majesties Justices of peace in the Eastriding of the County of Yorke To take order toching the controversye betwene the partyes and the same to heare ende and determyne or to the like effecte . . .

Item he doth put and article that the two Justices upon the receipte of the said Commyssyon and by vertue thereof dyd at the earnest suite and request of the saide Gilberte upon the ninthe daye of September last past repaire unto the church of Hoton Crancewicke where and when taking viewe of the place in variaunce and hearinge the clames and allegatyone of both partyes, dyd then and there by the expresse consentes of the partyes them selves then and there being presente and by vertue of the Lettres of Commission sett downe order and determyne betwene the partyes in and concernynge the variaunce as foloweth That John Hobman and his assignes should frome thenceforthe have occupy and

enioye a place or stall by John to be made in the sowthe Ile syde of the said churche, and the sole tree thereof to lye even with the sole tree of Mr. Edmond Thwenges stall and so to the sowth wall by the wyndowes there, And Gilbert Warter and Thomas Warter his sonne and ther assignes there stall to extende from the formost stall of the Sowth Ile unto the back of John Hobman stall, and to come into the churche unto the sowth syde of one marble Throughe there were one Mr. Skerne lieth buried and no further as by the order by them the Justices therein made unto the which this party doth referr him self so farr as the same maketh for him . . .

3. Item . . . that since the tyme of the makinge and settinge downe of the order and by vertue of the same and in accomplisment thereof for the parte of John Hobman he dyd at and upon his owne proper costes and charges cawse a piewe seate or stall to be erected in the place and according to the tenor meaning and purport of the order, for him and his wief and children and assignes to sytt and knele in, at the tyme of common prayer and devyne service and sermons to be said and preached in the churche . . .

4. Item . . . that notwithstandynge the premysses Thomas Warter not regarding the order nor the aucthority of the makers thereof, nor myndinge his fathers consente beinge cheife partye in the cause geven therunto, hath not onely not regarded the performaunce and accomplishment of the same for his parte, But contrary wise to the manifest violatyon of the good order, the contempt of aucthority by which the same was established, the preiudice of John Hobman and to the evell example of others dyd ungodlily and uncharitablye by a devise gett into the churche of Hoton Crancewicke and entered the same upon Tuesday the third day of October instant weaponed with a long piked staffe and accompanied with Robert Skelton weaponed also with a like staffe and with an axe they or thone of them did hewe downe and cutt in peces the piewe seate or stall of this compleynautes so newly erected and the same removed plucked upp and utterly defaced . . .

Item . . . that Thomas Warter at the tyme prearticulate kept no howse, payed no clerke wages nor any dueties unto the church there, neither is maried there, but onelye remaineth in howse with his father as one of his family or as a sojourner and so is not to challenge any place or seat in the church but as one of that familye after the best right that he can prove to be in him self . . .

6. Item . . . that the grounde soile or place allotted to the compleynante by the Justices and Commyssyoners for to erecte and build his seate or stall upon, and where this compleynant dyd build his stall so by Thomas Warter and Roberte Skelton or thone of them defaced and cutt downe was a place where an altar dyd sometymes stande and did belonge unto the parishe generallye (whose consentes therto or the more or senior parte of them this compleynante now hath) and not to Gilberte Warter or Thomas Warter his sonne or any other particuler person For this party



doth put that if Gilberte or Thomas do or ought to have or enioye any seat or stall place in the church as in the right of the auncestors of Mr. Skearne they do or may enioy the same accordnglye and the same is lefte unto them besides the place in variaunce (albeit for lx yerres last past and more the auncestors of Mr. Skearne had no seate or stall there or at the least sufficient parte thereof convenient for that family (except servauntes whose places ar more convenient in lower steades of the church) is lefte unto Gilberte the father accompting his right that he can devyse from the said Skearnes and his small purchase of their landes in that place.

7. Item that Thomas Warter and Roberte Skelton were and are of the parishe of Hoton Crancewick and of the jurisdiction of this honorable court.

8. Item that upon all and singuler the premisses there was and yet is a common voice and fame that the same ar true in the parishe and other places therabouts

Wherefore the premisses or so muche thereof as is necessary being proved this compleynant desireth justice etc with his expenses and the defendantes to be punished etc. non arctans se etc."

The Interrogatories put to the witnesses are usually valuable as giving the mind of the Court and showing what were the matters by them considered primary in importance. On this file the Interrogatories to the witnesses for the prosecution on behalf of the defence alone have survived.

"Interrogatories ministred on the partie and behalf of Thomas Warter and Robert Skelton unto the pretended witnesses of John Hobman . . . Imprimis lett every pretended witnes be asked of the reason or of the cause (of) his knowledge and all and every of his sayinges and deposicions in this cause.

2. (Let each be asked) whether Gilbert Warter . . . did purchase one house or capitall messuage comonly called Hutton Hall . . . sometymes the inheritaunce of one Mr. Edmund Skearne, and in the same purchase did joyne Thomas Warter his sonne with him, and whether Gilbert and Thomas be nowe thereof seized in perfitte sure and indefeizable estaite of fee simple and in quiet possession . . .

3. . . . whether that the auncestors of Mr. Skearne whilst they were lyvinge and dwellinge at . . . Hutton Hall were not alwayes accustomed to sitte in the parishe church . . . and whether they have seene the place envyvroned and compassed about with barres of Iron whereas the said seatte or stall did stand and whether they beleave that the auncestoures of Mr. Skearne for manie yeares and tyme out of mynd dyd ther use to sitte yea or no.

4. . . . whether they have not of late yeares sene diverse monumentes and inscriptions graven and inscripted in brasse or other like matter of Mr. Skearne his ancestoures and fixed and fastned upon and to verey faire stones places unto the seate or

stall now in controversie and whether it be likeli that the corpsies or dead bodyes of his ancestours were buryed and interred when they were dead neare unto the place where they did sitte when they were alive . . .

5. Item let every witnes be asked that goeth about to depose of anie order whether Thomas Warter was presente at the makinge thereof and where the same was made and when the same was made of his knowledge hearsay or belief."

There are questions also asking about the consanguinity of each witness to the prosecutor, or enmity against the defendants and who was to pay the costs of the witness involved in his attendance in the Court. As to matter of fact, these questions represent the cross-examination of the witnesses on behalf of the defence, and it is interesting to see the importance which is implied for the holding of particular property and for prescriptive right by inheritance in settling a right to hold a pew or stall.

Of the four depositions on the file, all very much the same in content, perhaps the best is that of John Cole of Hutton Cranswick, husbandman, aged about 34. To Articles 1 and 2 of the prosecution he said that "about the day articulate he did see Mr. Hootham and Mr. Dowman com into the churche of Huton-cranswicke as did also Gilberte Warter and John Hobman which Gilberte then and there delivered to the Justicies a commission directed unto theme from the Lorde Archbushop of Yorke his grace and other the quenes commissioners for ecclesiasticall causies for the appointinge of Gilberte Warter and John Hobman either of theme a place in the churche . . . wherein to build a pue or stall for them selves and there families which commission beinge then and there openlie redd and the allegacions of bothe parties hard the commessioners assigned to the parties the placies mencioned in the article and did appointe and boulder theme in manner and forme articulate in everie respecte of his sighte beinge presente at the order maiking and seinge the placies by the commessioners allotted to Gilberte Warter and John Hobman.

The third article he declared to be true "of his knowledge seinge the buildinge of the same stall and seinge John Hobman oversee the woorke and seinge the tymber that builded it ledd frome John Hobmans house with his owne folkes and also hearinge the woorkman that builded it say that it he builded it for John Hobman.

(To the fourth he said) that about the tyme articulate he did see the stall utterlie defaced and he hard say that the persons articulate did deface the same with an axe.

The fifth article is true "of his knowledge beinge in the same parishe that Thomas Warter sojourneth in."

On the sixth he said "that he haith the crediblie hard say that the place allotted to John Hobman by the commissioners was a place where an alter had before tyme stood and so belonged generallie to the whole parishe and he belevethe that the more parte of the parishe gave there consentes therto, and he hard bothe



one of the churchwardens and aboute halfe a score more houlders of the same parishe beinge presente at the order maiking geve there consentes thereunto And he hard say that if Gilbert Warter or Thomas his soonne challenge anie place in the church by reason of the purchase of Mr. Skearnes landes yet the same muste not be where the stall was laitelie builded, but in a place on the back syde of the same."

To an additional article he said that it was true "of his sighte beinge presente in the church and seinge Roberte Skelton lye violent handes of Edwarde Sewell beinge in the stall of intente and purpose to plucke him oute of the same all which was done in service tyme of his sighte." In cross-examination he said to the interrogatories that he had nothing to add to his previous evidence.

This evidence shows that authority in the assigning of pews was thought to vest in the representatives of the Archbishop, but dependent on the general consent of the parishioners, with the churchwardens.

The answers of both defendants to the same articles are very full. Thomas Warter said "that he himselfe procured the Commission out of this honorable courte directed unto the persons articulate partlie for the causes alledged in the articles but chiefly to avoyd disorders and quarrelinge whiche were lyklie to fall out and insewe about the seat or stall nowe in question for whereas his father had cawsed a seate or stall to be buylded within the chowrche and in suche place as the auncestours of one Mr. Skearne whose estaite nowe he hath lordes and owners of the mannor house called Huton Hall were accustomed onelie to sitte in the tyme of divine service and besides that had the consentes of the churchwardons to the buylding of the stall in the said place, and namelie of one Roger Hobman the complainantes brother, yet neverthesse he this complainante onelie to vex and disquiet this respondentes father beinge aged and a lover of quietnes did excedinglie molest him in the said stall, and chalenged a right in the same, and gave great cause of contention and quarellinge about the same in so muche that the complainante came one daie appointed to make an assalte upon his father and his company if he cold have picked anie quarrell against theime, and for that end and purpose came accompanied with xvi-tene persons weaponed with longe pike staves usinge force and unsemelie gestures to provoke his father and other of his famile, for the preventinge whereof and for quietnes sake he sought to have these matters redressed by this honorable courte and first compleyned of the nowe complainante unto my Lordes grace by way of supplication who did precentlie write unto Mr. Dr. Lougher to take present order in the matter, and Mr. Dr. Lougher furthwith did write his lettres unto Roger Hobman and the now compleynante. and requested them therin that they wold compromitte the hearinge and orderinge of the matter unto two Justices of peace indifferentlie to be named by bothe parties neare adioyninge unto the place. And the parties nothinge regardinge the lettres as it shold seame said that they wold do

nothinge upon requestes nor have the matter otherwise ordered then by law except my lordes grace wold precisely commaunde theim to put it to order And he cominge againe to my lordes grace and declaringe his procedinges therin, his grace and other his associates did then grant the commission as is before confessed. And whilst he was heare labouringe to have the commission, in the meane time Roger Hobman had pulled up and defaced the stall builded by his father . . . And he further answereth that he beleveth the commissioners did come to the churche havinge other occasion then to be in the towne, and did viewe and see the place in controversye not minding then to execute the commission . . . and moved his father and (himself) to devide the place, he himself not being ther present nor called for nor willed at that time then to be there by the commissioners to heare what he cold alledge for himselfe in that matter . . .

. . . he saith that after the commissioners had veiued and seen the place he did build a seate or stall in some parte of the place in controversie and otherwise he beleveth the same (article) not to be true . . .

. . . he saith that he sent for the chancell doore key and entred into the churche by the said doore and in quiet manner he did remove the stall which the complainante had caused ther to be builded because that he had builded the same in such place of the churche as his father and he ought to have ther seat standinge in, beinge not accompanied with Roberte Skelton nor havinge (his) helpe in the removing thereof and otherwise he beleveth the same not to be trewe, savinge that in trewth he used an axe as an instrument most meate to raise up and disioyne the same beinge fast pynned unto one Mr. Thwienges stall, beinge so stronglie made of it selfe that easelie it cold not be severed with an axe or some other like instrumente neither did he cutte the same with the edge of the axe, but did drive one jointe from an other with the heade thereof . . .

. . . he remaineth in house with his father and is unmarried and paieth no clerk wages or other dewties him selfe unto the churche ther, yett hath geven him of his father for his present maintenance the mannor house called Hutton Hall, and (it) is occupied by tennantes under and by his grauntes which pay clerke wages and other dewties belonginge to the churche as other parishioners in that place ar accustomed to do, and thinketh he hath in respecte of the premisses good right to chalence the place or stall in travers.

. . . he beleveth that ther hath bene an alter standinge within the seatte or stall wherin the ancestoures of the Skearnes dwellinge in Hutton Hall were accustomed to sitte, but no partition was betwene the alter and the stall, but all as one stall which stall and alter he beleveth did belong to the ancestoures of the Skearnes . . . he beleveth that one Edmunde Skearne was dwellinge in the mannor house and had a seate there within this lx yeares and lesse and that this respondentes father hath purchased landes



of the Skearnes inheritaunce to the value of xx li by yere and more . . .”

He alleged also undue influence exerted by the Hobmans upon the two commissioners, who were induced to sign as their order a document drawn up by John Hobman.

Robert Skelton's answers are also very full, but add little that is material, except that his answer to the Additional Position, which is the more detailed, reveals an unusual method of annoyance in these pew disputes.

“To the posicionall addicionall answeringe he confesseth that upon the sondaie articulate he did come into Hoton church to heare divine service and after the morninge praier was done and before the beginninge of the commemoration as he remembreth as he was sittinge in the church a good spaice from the stall in controversye de did se Edward Sewell a beggerlie fellowe havinge but one eye beinge full of lice and very lothesome sitte in the stall in controversie streighte before the face of the respondentes Mrs. called Alice Warter with his face againste her mockinge and mowinge at her and deriding of hir so that she cold not in quiet manner serve God, which to se did greve him and therupon he did ryse fourthe of the stall where he satte as of dewtie he was bounde for the quietinge of his maistres and came into the stall and dyd aske Sewell who badd him come into that stall to mocke and misuse his maistress and he answeringe and said John Hobman bad him sitte there and then this respondente badd him come forthe and misuse his maistres no more And then one Roger Hobman brother of John Hobman creyed with a lowd voice and said he shold sitte there in despite of who sayd nay And this respondent Mr. and maistres bad this respondent lett him (Sewell) alone whereupon this respondente did departe fourthe of the stall in quiet manner without usinge anie violence or yet struglinge with Sewell leavinge him still sittinge in the stall and place where as he satt before . . .”

Some of these causes concerning stalls were regarded as of importance sufficient to require transmission to the Ecclesiastical Commission; as the papers relating to such causes have survived but rarely, it may be that it was more usual to transmit in this way than might appear. A particularly full and detailed case is found in 1564, from the parish of Slaidburn. The evidence here shows that as early as 1564 a great part of the area of the parish Church was already parcelled out according to the degree of the parishioners; it is interesting to note that at the present day many of the pews in this Church bear the names of the farms or tenements with which they were associated. The file begins with a petition to the Archbishop, as President, and other Commissioners.

R.VII.G.1158.      A.D. 1564.

“Most humblye sheweth unto your honorable grace and sayd assocyates your humble daylie orator Cuthbert Musgrave esquier sone and hiere of Thomas Musgrave esquier which Thomas was

sone and hire to Sir John Musgrave knight That where your . . . Orator divers and manye tymes haythe done the kings and quenes of this realme his diligent service in thier warres and els where and haythe had by thire appointment right woorshipfull offices as the captaneshipp of Hamont and also the captayneshipp of Harbotell Castle and captayneshipp of Ryddesdale and for his services and other occasions was rewarded and had geven to him and his hiers by our late soueraigne Laydie Quene Marie the manor and lordshipp of Knole Myer in the parishe of Slateburn within the diocese of Yorke aboute the space of x yeres laste by past by reason of which manor and lordshipp he haythe contynuallie dwelled within the parishe as parishioner of the parishe of Slateburn by the space of the sayd tene yeres laste by passed or therabout and by all the sayd tyme bothe (he) his wyfe his children and somme of his servants being gentylman in devine service tyme have used to sett in one chappell on the southe syde of the parishe church which is in largenes but fower yerds every waye and have bene in quyet possessyon as yt were in sitting and kneling thier all the tyme afforesayd and the premysses notwithstanding now of late one Willm. Battersbey being but an under tennant of a place called Hammertone Hall within the sayde parishe and having a seate in the church called Hammerton Hall seate and being a man of but small goods and of no lands at all of his owne upon the Sunday which was the xviii day of this instant moneth of Aprill in the sext yere of our soveraigne ladie the quene that now is dyd with his partakers and adherents assembled in the church in tyme of morning prayer that is to say with Richarde Battersbye Willm. Battersbye Nicollas Turner (Willm. Haste Chris. Haste Ric. Haste Gyles Burrowes John Hik thelder and John Hik the yonger Ric. Parker and John Parker . . . all struck out) by force entred into the sayd chappell and presumptuously sayd and soo dyd his partekers that he Willm. Battersbye shulde sett in the stall there wythe the wyfe of your Orator and thus dyd Willm. Battersbye and his wyffe and their partekers doo and say with so stowt and stubborne countenanuces and wordes that yt was verie lykelie thaye shoulde have gone to gether by the cares wythe mayne heighe and henous woordes specyallye spokin then and there by Grace Battersbye wyfe to Willm. brawling chiding and calling your Orator theif and mandes morderer contrarye the statute in this behalfe aganste suche offenders in the church provided and Nicollas Tirner who then and there willed and animated his fellowes saying pull hym the sayd Musgrave fourth of the quere And the premisses were don to greate desquyetting of dyvine service in the church at that tyme and is lyke to grewe unto mouch moore unquietnes oneles by your honorable grace and your assocyates some spedie remedye be provided in this behalfe . . .”

“Artycles for Cuthbert Musgrave against Richerd Battersbye and Willm. Battersbye wherupon the said Cuthbert desireth his witnesses to be examyned.



.. In primis that it is x or xi. yeres or there abowts sins C.M. did come to the parishe of Slateburn to dwell.

Item that C.M. his wife children and familye in tyme of dyvine service by all the tyme of his beinge parishoner there haith kneled and syttyn in the quere or chappell of the Sowth syde of the church of Slateburn and none other parishoner haith kneled there with him saving that one Mr. Richerd Hammerton and his mother abowt vii or viii yeres sins did make pretence to syt there but yet nevertheles thei did not so syt.

. . . that Ric. Battersbye his wife and familye haith and useth to sytt in the quere or chappell on the contrarye syde and none other parishoner with him.

. . . that Willm. Battersbye who dwelleth in a place within the parishe called Hammerton Hall and also other dwellers therin before him have used by the space of v. x. xx. xl. yeres last by past to syt or knele in tyme of dyvine service in one other place of the church viz. in the highest forme but one next unto Laur. Banaster forme upon the South syde.

. . . that at the tyme of controversye wherupon Cuthbert dooth now complene he and Willm. Battersbye did come forth of the chappell doore now in controversye and there Cuthbert did openlye say to the parishoners Neighbours here is Willm. Battersbye and I; we ar thiswise agreed that he shall sytt with me in this chappell upon my good will unto tyme farther order be taken for sytting in this chappell And this our doings to be no preiudyce to his father in law Mr. Breers tytle if he have any.

. . . that upon this saing Cuthbert and Willm. Battersbye did go into the chappell again booth to gether quietlye.

. . . that immedyatlye after this Richard Battersbye did come to the chappell and did say that his brother William had better right to syt there then Cuthbert had And said farther that his brother shoold sytt there.

. . . that he did speeke the said woordes stoobornlye and maliciouslye with his capp on his heed and angerly as appered by his countenance And one Nicholes Turner assisting him did say in a great rage Pull the said Cuthbert forth of the chappell.

. . . Cuthbert is commed of a right worshipfull hows Sir John Musgrave knight being his grandefather and he Cuthbert being heir apparaunt to the landes of Sir John Musgrave.

. . . that Cuthbert haith moost landes and lyving of any parishoner remaning or dwelling in the parishe of Slateburne.

. . . that Rich. Battersbye is noo gentleman of coote armor and so skantlye to be counted a gentleman by the law.

. . . that Cuthbert (withowt presumptyon being said) is as woorthye he and his familye to syt alone in the chappell on the sowthe syde of the church as Ric. Battersbye and his familye to syt alone in the chappell on the northe syde of the same church.

. . . that by the bragg and maintenaunce of Ric. B. the above named Willm. Battersbye did fall again to contentyon with

Cuthbert to syt in the chappell of right and whether Cuthbert would or not whiche was to the great disquieting of the parishoners and dyvine service.

. . . that immediatlye before the commying of Cuthbert to the parishe one Gyles Parker and before him one Edmond Parker being tenauntes of the same landes and tenemente which now Cuthbert haith . . . did syt and knele in the chappell on the south syde by the space of xl yeres or there abowts booth when Sir Steven Hamerton was a lyve in his absence and also after Sir Steven was deed."

The attestations generally confirmed these points, but the Rector of Slaidburn, Thomas Abbote, aged 42 and Rector for over nine years, had a few details to add. He agreed that Musgrave and his family had used the "quere" in dispute, but added that "sometymes one Tho. Colthurst and his wyf being doughter to Mr. Oliver Breers and William Battersbye and his wyfe being also doughter to Mr. Breers and one John Breers sonne to Olyver and his wyf sitt and knele lykewyse in the said quere." He agreed also that he had seen Ric. Battersbye and his family sitting in the quere on the opposite side "and sometymes other sitting in the same with him," and that the "highest form" mentioned by Musgrave did indeed, according to many of the parishioners, belong to Hammerton Hall, that Musgrave "receyveth yerely moore rent then any other gentleman in the parishe of Slaiteburne doythe . . . and . . . is as worthye to have a decent place for hym and his family to sytt and knele in in the churche as Ric. Battersbye and his family."

Ughtred Hodgkinson of Shayhouse, husbandman, said that Musgrave used to have the pew, "except a certaine space in the latter end of the reigne of Quene Marye that the quere doore by the commaundement and order of the Lord of Cumberland was stookken uppe," and that he had seen "Gyles Parker aboute xvi yeres sence beinge tennante of a place called Soulskayles beyng parcell of the lands that C. Musgrave hayth in the parishe syt and knele in the said chapplell . . .," and that Sir S. Hamerton "in his lyf tyme hayth sometymes resortyd and remanyd for two or thre dayes to keape his courte . . ." and "as often as he resortyd and came to the parishe churche of Slaiteburne (Sir S. H. did) knele in the said quere at a thre foote fourme . . ." While Robt. Proctour of Newton townshippe revealed that "two or thre yeres next after (C. Musgrave's) fyrst commying hyther . . . there was contentyon betwene Musgrave and one Ric. Hamerton and John Hamerton for sitting and kneeling in the said quere."

In the Interrogatories to be put for Musgrave to the witnesses for Battersbye, several matters were pressed home which we have seen already to be important in deciding questions about pews. The social aspect of the dispute is strongly emphasised, and the right of the churchwardens to assign pews, while it is clear that much depended on the association of particular pews with particular houses.



"In primis interrogatur quilibet testis de causa scientie sue . . .

Item . . . whether thei did know one Sir Stephen Hamerton kt. sometye to be parishoner of the parishe yea or nay And for how many yeres thei did so know him to be parishoner there.

. . . whether by all the tyme of his being parishoner there he was counted and reputed to be the best man of the parishe yea or nay.

. . . whether he . . . all the tyme of his beyng there and his famylie did use to knele in the chappell yea or nay.

. . . whether any other man saving of his owne famylie did knele or syt with him in the chappell And if thei depose of any then let suche witnes be axed what his name was and how many days or by how long tyme he used to syt there with Sir. S. H.

. . . whether thei did know or were presente that the churchewardens of . . . Slateburne did appoint Sir S. H. to syt there yea or nay And what their names were that did so appoint him to syt there.

. . . how many yeres it is sins Sir S. H. came first to be parishioner there.

. . . whether he doo not know exteme and think in his conscyence that C. Musgrave be a man of moost landes and lyving within the parishe And whether thei know or beleve that he is an Esquier and a gentylman of armes, and commed of knights and Esquiers by birth And also the quenes majestie servant, and to the quenes majestie that now is and to the quenes majestie hir predecessours Esquier for the body yea or nay.

. . . whether there be any other parishioner within the parishe of lyke lyvinge or birth or reputacione And if their be then let them name them.

. . . who useth to repaire the other syde quere that is on the north syde of the church whether the parishioners or Ric Battersbye.

. . . let them be axed what churchewardens of Slateburne did make any reparacions of the quere on the sowth syde And what reparacions it was and what they bestowed.

. . . how long Cuthbert M. haith syttin in the chappell in tyme of dyvine service before the begynninge of this sute And whether the churchewardens of Salteburn did know of his sytting there yea or nay.

. . . how long yt is sins the churchewardens of S. did fynd fawt with his sytting there And what ar their names that did so furst find fawt with him for so sytting there.

. . . whether Cuthbert M. have not the moost parte of the lands that were Sir S. Hamerton's within the parishe And name-lye whether he had the manor which did pertene to Sir S. H. called Knowle Myre yea or nay.

. . . whether John Breers be parishioner of Slateburn or els whether ever he was parishoner there yea or nay. [He lived at Preston in Amunderness].

. . . what church wardens did appoint Ric. Battersbye to syt in the chappell on the north syde of the church And what their names is or was and how long yt is sins.

. . . what parishoners thei have known to be appointed to their stalls by the church wardens And how many thei have knowen to be so appointed and let them name aswell them as the church wardens that did so appoint them and how long yt is sins.

. . . let every witnes be axed whether he hayth contrybuted or hayth tayken upon to contrybute any money to the mayntenance of this sute yea or nay.

. . . let every witnes be monished under vertew of his oothe that he doo not declare to the rest of his fellows being contestes wherupon he hayth bene examyned.

. . . let every witnes after the first be examyned whether any of his fellows being contestes with him have declared unto him wherupon he was examyned yea or nay."

The defendants made little attempt to answer these questions; in their counter-interrogatories they avoided all reference to the social aspect; they confined themselves to trying to show that the occupants of Hammerton Hall had a right to sit in "the quere of the sowth syde of the church called the Lady quere," and asking "wheather Hamerton Hall or the place where Cuthberd now dwellythe be of greater awntientys and wheather of the said places have bene accustomed to pay and beare the greater charges belongyng to the paryshe church of Slaiteborne. Musgrave retorted to this by putting in additional articles, alleging : ". . . that the hows called Hamerton Hall was bulded within thes xxx or xl yeres for the lordes pleasour and not bycause yt was a manor.

. . . that before yt was so bulded yt was but a single tenement for a pryvate person and for one of the lordes tenants.

. . . that before yt was so bulded yt was never counted named or hoolden for a manor place nor yet hayth yt any tenants belonging to yt wherbye by law or right it may be counted a manor.

. . . that the vere manor place whiche was late Sir S. Hammertone within the parishe of Slateburne is called Knowlemyer now in the tenour and inheritance of Cuthbert Musgrave."

The answer which the defendants made to the Commissioners was mainly a long and rambling account of the incidents in the Church, in which they alleged that Musgrave was entirely the aggressor; there was also a separate branch of the action which dealt with Nich. Turner. We are fortunate in having the record in the Act Books of the Commission which shows that Musgrave was allowed possession of the stall "so that yt be not prejudiciall to his father in layes inheritaunce," and as the case was not brought before them again it might seem that Musgrave was satisfied. It is curious to note the Commissioners allowing the effect of inheritance on the right to hold a stall.

These Cause files sometimes show that behind these disputes for pews there might be a long and tangled tale of previous grievances or quarrels. A good example is in the file R.VII.G.648; the



year is 1556, in the time of Archbishop Nicholas Heath. The process was brought by Isabel Holden wife of Ralph Holden against Roger Rishton gen. of the parish of Church, in the Diocese of Chester, and she alleged that he "did quarrell brawle and chydre to and with" her in the Church or at least in the churchyard of Church, "viz. he said angerlye unto Isabel that she shulde not knele nor sit in the stall where she was wonte and accustomed to sit in the Church and said further yf she wolde not go furthe of hir stall he wolde pull and drawe hyr furthe of the stall And also he did quarrell brawle and chydre in the said churche with Alex. Houghton . . . for the servynge of a Citacion of (*i.e.*, upon) Elene Rysheton otherwyse called Levesley his wyffe and said that he wolde mete with hyme and be even wythe hyme . . ."

"Roger . . . did violentlye and maliciouslye pull and drawe Isabell by the armes at masse tyme or mattyns tyme in the churche viz., frome the myddest of the quere or chancell to the quere dore . . . And also Roger . . . did maliciouslye and opprobriouslye wylle and commaunde Rauffe Ryshton hys sonne to put and drawe oute Isabell furthe of the stalle where she was wonte and used to sit then beinge in hyr stalle at whose requeste and commaundemente Rauffe did pull drawe and put oute Isabell . . ."

The articles then go on to quote the Statute of 5 and 6 Edward VI punishing those who brawled in any church or churchyard "by wordes only."

Roger Rishton in his reply tried to turn the whole affair to the serving of the citation; as for the assault, he said that "aboutts Julie last past he did gentelie take Isabell by the arme knelinge in the quere saynge to here that the chauncell or quere was no place for women to knele in, but he said she shuld have his good will if she kneled more nigh the preste."

The first witness showed that the case was not quite so simple or so recent as it might appear at first. He was Roger Hindle aged 34, of Oswoldtwesell in the parish of Church, and attested "that he was present in the paroch church of Churche aboute a fourtenighte or thre weiks after Michaelmas was a twelfmonth, and came with Isabell Holden, and waited upon heir to the said place, where she was appointed to maikie hir purgacion of suche crymes where upon Roger Rishton had slaundered hir And comynge to wards the place in the churche where Isabell was accustomed to sitte one Rauffe Rishton sonne to Roger mette hir and this deponent, and Rauff willed him to speake with Isabell to go and sitte in an other place, for she shulde not come nor shulde sitte there, and so he tolde hir whereupon lest she shulde have maid further busynes she satt hir downe in an other place . . . He did awaite of Isabell Holden to the parishe churche aboute thre weiks or a moneth after Michaelmas last was a twelfmoneth, where at hir beinge in the churche she knelid upon the loest stepe in the quere before the high altare at masse tyme, and even by she were well sette on hir knees comes Roger Risheton and toke hir by the armes and did violentlie traile hir that hir loynes did hang upon

the grounde, frome that place where she satte unto the quere dore, and there after muche toylinge of hir lette hir fall frome him, sainge the devill his in hir . . .”

“He was at the tyme before deposed servante to Rauf Holden husband to Isabell and were his liverey and received his wages for his service doing to the same, but now he is not.”

“He served Rauf Holden iiii yeres and went frome his service at xii Daie after Christenmas was a twelfmoneth, for asking Roger Risheton beinge his godfather his blessing and bidding him good morrowe upon Christenmas day in the mornynge.” . . . a striking revelation of the bitterness of hostility between the Holdens and the Rishtons which undoubtedly forms the background of this dispute, when a man would dismiss a servant merely for wishing his enemy Good morning on Christmas Day. But this bitterness is never very far below the surface in many of these disputes about pews.

The witness Geo. Huncote, curate of Sadleworthe and until the first week of Lent before the Cause curate of Church, aged 50, said that “betwixt Michaelmas and Allhalowmas last was a twelfmoneth or thereabouts Isabella wolde have come to hir accustomed sete in the Chauncell, after he had bidden the beads in the pulpit a little before masse, and Roger Rishton, meting her at the quere dore wolde have stopped hir the quere dore, but she crepte under his armes and went to hir seat accustomed . . . And Rishton after hir and caughte hir by the armes, and trayled hir violentlye frome the place unto the quere dore, and said she shulde not be there nor none of hir demeanor, and he saieth that the premisses were maliciouslye done by Roger Rishton before all the hole parishe And further he saieth that Rauf Rishton after that tyme within a fourtenight or thre weiks as he now remembreth, stopped Isabel and put hir bye hir accustomed seate in the churche and wolde not suffer hir to sytte in the same, but whether it was at his fathers request or commaundement or not he saieth he cannot depose . . .”

Another witness gave a description of what might be in those days a by no means unusual interruption of divine service.

“. . . in the hynde ende of harveste laste . . . upon a Sondag in masse tyme he was present in the parish church of Church wher and when he did se Alex. Houghton bringe a citation and give the same to Sir John Halton then the preste that served the cure ther, (he) beinge in the pulpite after the offertorie tyme, and desired hyme to serve the citacion, and Sir John said Ye shuld have brought this citacion to me before this tyme, and then Alex. Houghton said to the prest Ye maye read the citacion for I knowe the effecte of it my self And the prest said Let me serve the parishinge and I will serve the citacion And then Roger Rishton said to Alex. Houghton Ye troble all the parishinge lette hyme come downe ye might have brought it a nother tyme then now And then some in the church which he thinks was Roger Rishton tenants said Pulle Alex. Houghton downe that the prest may come



downe and then Roger said if the prest will come downe he shall come downe And Alex. Houghton said the prest shuld serve the citacion or he come forth of the pulpit or els denye it And he said he thinks Roger did speke the words aforesaid in anger . . .”

A smaller file enclosed in the main file reveals yet another coil of this tangled business, to which also two other files, VII.G.684 and 693, have reference, showing that the pew dispute was not unconnected with a diffamation suit, which in its turn grew out of a quarrel over the digging of turves. Isabel Holden denied an allegation of diffamation on a particular Sunday, “because she was at the church of Church no Sondaye at messe nor after messe after the xxii daye of Auguste whiche was in the yere of our Lord God 1555 unto saincte Mychaell daie tharchaungell then next folowing for she was fayne to git a preste at home in hir owne howse or to go to an other paryshe church everye Sondaye during the said tyme and durste not come to hir parishe church of Church for feare of Roger Rishton . . .” A witness against her had evidently said . . . untruly, as she contended . . . that “he was present upon Oswold Twesyll common a lytell frome Duckworthe Crosse in the parishe of Church upon a Thursdaye beinge the xxiith daye of Auguste laste was then a twelmonthe aboute ten of the clocke before none where and when he harde Isabel calle Roger Ryshton comminge with certayne waynes loded wythe turves, whiche turves Isabell had geven other men leve to digge, Extortioner pyllor and pollor and said he was noughte . . .” Isabel had evidently cleared herself of the charge of diffamation in the Bishop of Chester’s Court, and Helen Rishton, who considered herself defamed in the incident on the Common, had taken an action on appeal to the York Consistory Court, which was still unsettled.

Yet another Cause where there was dispute about the allocation of pews, with distinction between Quire and Nave, and with the considerations of social standing and property qualification which have already been noticed, and again heard ultimately before the Ecclesiastical Commissioners, is in file R. VII.G.878, undated but after 1571. The prosecutor was Ric. Bunny, who claimed a sitting in right of the manor of Newland in the parish of Normanton, and the proceedings glance at the connection of the manor with the Commandery of Newland. The defendant was Charles Jackson, who claimed the same right in the same place in right of his manor of Snytall. The original Articles of the prosecution are not preserved, but there are two sets of additional Articles, and answers by the defendant to all three.

The defendant stated that the manor of Newland was no part of the parish of Normanton; “. . . the manor called Newland, wiche was a Commaundry of Saint John’s, ys out of the parishe of Normanton, for neither the manor nor the inhabitants therof paieth neither tithes prediall nor personall nor yet offerings, either to the parsonne or Vicar of Normanton . . . and besides

that they have used to christen burie and wedd and to minister all other Sacraments and Sacramentalls in a chappell within the said Commaundry for all the Inhabitants dwelling in the Commaundry, except that Sir Richerd Wodroffe knight deceased, being a man of worship was brought frome thence to be buried at the parishe church of Normanton, and except peradventures some persons whiche have bene buried and christened there, sence the suppressyon and disolucion of the house and order of Saincte John of Hierusalem . . .”

The defendant also saw clearly that the matter of obligation to repair was of importance. “. . . he belevethe that the Ladie quere was not in decaie but yt might be and also was sytten in untill about fower or fyve yeres ago last by past, and the rooffe therof was taken downe but not the holle to the grounde and was repaired againe at the costs of the parishners . . . Ric. Bunnye rather of his owne pleasure then of necessitye did suffer him selfe to be cessed and so did contribute to the reparacion where the inhabitants of the manor of Newland in the time of the Order of Sancte John’s wolde never contribute to any reparacion of the parishe church of Normanton, but counted them selves to be a parishe within them selves . . . and also he beleveth that Ric. Bunny did sett up thre paines of glasse in the windows of the queare, without any cessment, and did gyve fyve shillings in money, as he belevethe to gyt him selfe a tytle to syt in the queare.”

He notes the allocation of pews in this way . . . “ . . . the vicar and the churchwardons of Normanton did never use to appoint parishners stalls to sit in but everie man by his tenement and lyving within the parishe did knowe in whiche stalle he should syt in And further he beleveth that the vicar and churchwardons did not appoint for Ric. Bunny and his familie the place to syt in and to builde stalls for to syt in, And further . . . that if the place in the queare did apperteyne to the manor of Newland that then he neded not to have had the place appointed him to syt in by the vicar and churchwardons.”

There had evidently been some considerable dispute over the stall, and Jackson had taken a very firm stand. “. . . he would not remove out of the stalle, for yt did belonge unto his manor of Snythall, but if Ric. Bunny would cum and sytt withe him in hyt he should be welcome . . . And as to the place whiche Ric. Bunny appointethe to him in the bodie of the church, he saithe as before that his granfather being as is aforesaid an Esquier, and his men servants dwelling in the manor of Snythall did by the space of fyfty yeres or thereabouts syt in tyme of divine service in the Ladie queare in the same place wher Charles Jackson Esquier dothe now pretend to syt and dothe use to syt, and his granfather wiffe children and maideservants did use to sit in the place in the bodye of the church where his (C.J.’s) wiffe children and maideservants do now syt.”

He added a few descriptive details about a stall in the church : “. . . on the Southeside of the parishe church of Nor-



manton next adioyninge to the Southe queare . . . ther is situate a comelie stall, wherein Charles Jacksonne grandfather of the said Charles (the respondent) used to sit with his wyfe and his children duringe the tyme of his dwellinge within the parishe which was abowte xx xxx or xl yeres ended abowte x yeres last paste abowte which tyme Charles thelder died and was buried in the parishe church of Normanton . . . that (grandfather) Charles Jackson his father was called William Jackesone and his mother was called Agnes Jackesone, who died bothe before the said Charles Jackson thelder . . . that there is graven uppon the stawlle for a remembrance or proffe that the stawle did apperteyne unto the grange of Snitall, whereof Charles Jackesone theldor in his lyfe tyme was fermor and did dwell the wordes and lettres with marks written in the shedule hereunto annexed, or like in effecte . . .” The “shedule” is attached to the file, and shows the following inscription :

“Orate pro animabus Willelmi Jackson nuper firmarii de Snytall Graung Agnetis uxoris sue Ricardi Woodhawll et Isabelle uxoris sue Ac pro bono statu Charoli Jackson et Margarete uxoris sue filiorum et heredum eorundemque liberorum omnium predictorum,” with a rough copy of a carved inscription with ornaments : “G. I. : E. I. : NOR :”

Jackson repeated these statements in his answers to the additional Articles, emphasising the separation of men and women in the church, and the significance of the inscription on the stall, to which Bunny opposed little but a flat statement of the contrary to all. Between them, however, they raised one point of local interest, when Jackson returned with increment an allegation by Bunny . . . “he beleveth that St. Nicholas Clarkes and St. Kateryns Clarkes and the Hagnanye Men (in the late tyme of superstition and papistrie, yearly at the feastes of St. Nicholas and St. Katherin) did go to the manor of Newland for gaynes of money bicause yt was within the parishe of Normanton but not of the parishe of Normanton for the inhabitants there dyd never paie any clark waiges nor did contribute to the reparacions of the parishe church untill now of laite that Ric. Bunny would contribute for commoditie of the stalle in contraversie.”

“St. Nicholas’ Clarks” has a good Shakespearean echo to it.

The Act Books of the Ecclesiastical Commission give a sequel to this Cause, for the matter was referred to the Commissioners for a decision. The entry is in R.VII.A.6, at f.35v., where the prosecutors are Mr. Ric. Bunny and “other parishioners” of Normanton against a person named only incidentally in the Bunny-Jackson Cause. There is a suggestion that Jackson established his personal claim. This judgement has been quoted above, p. 185.

The arrangements for social distinction here are interesting; the underlying purpose of the Commissioners was apparently to prevent the establishment of any prescriptive family right to particular pews.

One more example from the XVI Century, not dated but between 1570 and 1580, shows the churchwardens of Mansfield concerned with these matters of family claims and of the obligation to repair. Of this file nothing has survived but the articles for the defence. The case of the churchwardens was against John Hedlame, who stated that he married Jane Bellerbie, daughter of John Bellerbie, who was a parishioner of Mansfield, in right of whom he possesses a certain house with lands belonging to it in Mansfield; he, his wife and her father and other ancestors of his wife have held the same house and lands for 40 years and beyond the memory of man, and been parishioners there. Through all that time they "have had in the church and have used to occupie and sitt in one closett upon the northe syde of the church lyke as other parishoners doo occupie . . . and have there places in other parts of the church . . . the closett is pars et percella navis ecclesie parochialis . . . He, Jane his wif John Bellerbie hir father and other hir auncetors by theme selfs withowte helpe or contribucion of any other parishoner ther have upholden maneteyned and reparellled the Closett at there owne proper costs and charges (during all this time) aswell in covering windowes and all other things belonging the same . . . it is now in sufficient reparacions and he and his wif is and alwaies haithe beyne redie to reparell it when neide shall requier . . .

. . . by reason of the reparacions of the Closett he . . . and all other hir auncetors there have beyne excused and dyscharged of all other reparacions to be hadd or maide in any other place of the church And it cannot be proved that (they) did at any tyme contribute to reparacions to any other parte of the church nether can it be proved that ever any of the parishe . . . did make any reparacions of the Closett . . .

In signe and token that (they) ar charged with the reparacions of the Closett and ar discharged of all other parts of the church, (they) tyme owte of mynde have buried in the Closett there familie or other freindes . . . when there happened any suche to dye withowte paying of any thing to the churchwardens or the reparacions of the church. And for every deide corpse buried in any other place of the bodie of the church except that Closett and also in Witham Closett haithe beyne accustomed to paie xld. to the church there towardes the reparacion of the bodie of the church . . .

In the Cause files for the XVII Century it is evident that there has been development; no longer is it a matter of an occasional pew in the nave or of private pews in side chapels or aisles; the whole area of the church floor is in process of being allotted for the building of pews, and disputes are frequently for a single sitting in one of these pews. First for consideration is a case from Coverham in 1634, where the dispute was over a pew claimed in right of a house in Coverham which lately belonged to, or was part of, the Abbey of Coverham. The Court evidently considered the case of the plaintiff, Mrs. Bulmer, to be very strong, for the



action is one "ex officio mero," implying that the Court itself acted as prosecutor, perhaps as a result of a petition by the party wronged. The course of the evidence showed all the old evils familiar from the causes in the previous Century. The first witness, Rog. Crofte of Kirklington, gen. aged 72, stated that "he hath known for 60 years the Lady Quire of the Church of Coverham which was seated at both sides and at the westend thereof, parte of whiche seates are still standinge therein . . . (he was) borne and brought upp in the said parish and did learne in the same church at schoole . . . Mrs. Mary Bulmer, sister of Sir Adam Loftus, dwelt in an ancient house belonging to the late dissolved monestary as tenant of Sir Adam . . . Mr. Tophan and his father and grandfather have usually sitten and kneeled in the Quier commonly called the Lady Quire and his father and grandfather and others of the family have been buried in the Quier . . . yet the owners of the Manor and lands late belonging to the dissolved monestary of Coverham did usually sitt . . . ther . . ." Mr. Tophan was the chief defendant in the case.

Tho. Dawson of Melmerby, aged 67, gave evidence that he had known the Lady Quier for 50 years; "it was planked or seated on the East and West end and on the Sowth side; about 20 years ago Chris. Loftus brother to Sir Adam Loftus did cause a seat to be built in the East end of the Quier and did usually sit therein but afterwards was slain and the pewe was pulled upp." Mr. Anth. Tophan procured licence from the Commissary of the Archdeacon of Richmond to erect a pew or stall in the East end of the Lady Quire, 2 yards long and 2 yards broad. The Tophan family had always used the West end.

Two of the most important witnesses were the Curate of Coverham, Francis Parker and his wife Ruth, both about 40 years of age. Mrs. Parker stated that "Mistris Bulmer in obedience to the commaunds articulate (*in the lost articles*) did cause an olde seate or pew to be sett in the Eastend of the Quire . . . untill she coulde conveniently procure workemen to make a more decent pewe. Anth. Apleby (one of the defendants) came to her and desired the Church dore keyes by a token from her husband (which shee knewe to be true) and therefore delivered the same unto him, yet after she had delivered him the keyes shee told him that shee feared they would doe some mischeife in the Church, and therefore desired the keyes back againe, to which Appleby replied that for his owne parte he would not doe any (if he could mend it) but he said that he feared it would prove an illfavoured night. Upon Friday after Midsommer day last past about twelve of the clocke in the night (she having that day delivered the keyes to Anth. Apleby as shee hath formerly deposed) shee beinge attendinge in the Church porche of Coverham to prevent the pullinge upp or pullinge downe of the seate or pewe by Mrs. Bulmer erected, came into the Church porch Anth. Apleby, Geo. Cagill, Ric. West and John Watson altogeather, wher and when Watson havinge a great longe clubb ended staffe in his hands asked who was ther,

to whom she answeringe, he told hir it was an unlawfull time in the night, and then they pressed towards the dore and she when she could not prevayle with them by faire intreaties seemed to hinder and inasmuch as shee could did hinder them from openinge the dore, which Apleby perceivinge tould her that they were sent to pull upp the stall or pewe and that it must and should be pulled upp, and then they amonge them selves bid lye hands upon her, which they did in a very rude and uncivill manner and dashed her face against the wall or doore cheeke insomuch as her nose and face bled, and they continueinge still pullinge her by the armes her childe fell unto the grownd amonge them, but they would not suffer her to take it upp till they had gotten the Church doore open And further saith that another child of hers beinge ther alsoe seeinge her used as affore began to cry for helpe and then Watson and West takeinge the child one by thone arme and another by thother affrighted the same, insomuch as this examine cryed and asked if they would both murther her and her child. And then Watson stayinge without Apleby Cagill and West went into the Church and pulled up or pulled downe the seate or stall."

Another witness, "beinge required by his mistress Mrs. Bulmer to goe to the Church and see what was doinge ther, for shee feared the stall which shee had erected would be pulled up or pulled downe," confirmed this story; he had gone into the Church with a fellow servant and found Apleby, Caygill and West, "whome he asked if they had pulled downe the stall; to which some of them answered noe, but he seeinge the stall pulled up said It seems yow have pulled it upp to which Apleby replied sayinge it was a thinge intended to be done and it is done and his master meaninge Mr. Fra. Tophan would beare them out in it, dureinge which time John Watson beinge the Constable stood in the Church porch with a greate longe club'd staffe thicker than an iron forke shafte and would not suffer him nor Atkinson to come into the Church till the stall or seat was pulled up although they requested him by faire meanes and intreaty soe to doe . . ."

Mr. Parker the Curate deposed that he "hath seene a confirmation of a seate to be erected in the East end of the Lady Quire . . . granted by the late . . . Dr. Lloyd late Bishop of Chester . . . to Sir Adam Loftus and Chris. Loftus his brother . . . and Mrs. Bulmer in obedience of the commaund caused a seat or pew to be erected in the East end . . . which was done without any manner of incroachment or preiudice to any person whatsoever." He went on to give evidence which showed that Mrs. Bulmer and two at least of the defendants, who held houses in the parish, had delivered very lively defiances to each other about the pulling down of the pew, Mrs. Bulmer remarking that "shee desired noe more but to knowe who would offer to pull the same downe without authority."

One of the places most copiously illustrated in these files is Bridlington, where it is possible to trace a large Church in the process of being divided up amongst the parishioners, not only pew



by pew but almost sitting by sitting. The series covers the period from about 1662 to the early XIX Century, but is best represented for the years about 1670 to 1690. A good example is that of the Corbets, father and son, in 1682, where the predominant matters, of association with a particular holding of property and of the obligation to repair, as well as the function of the churchwardens to allot pews, are well illustrated. There are two sets of allegations. The first sets out to show that " . . . above forty yeares agoe all the seates stalls and pews in the parish Church of Bridlington . . . were by and with the consent of the then Minister churchwardens and parishioners there or the major part of them altdred rebuilt and made uniforme and that then the seate in controversie being scituate on the South side of the midle Ile of the Church and adjoining the Chancell on the East and the seate in which Robert Parkin and others used to sitt in on the West, containing four yards in length and one yard or thereabouts in breadth was built and erected att the sole and proper charge of William Corbet gen. then of Bridlington now deceased father to Thomas Corbet senior and grandfather to Thomas Corbet junior."

Willm. Corbet at the time of building . . . the seat . . . was a person of good credit and repute and had a considerable estate in the towne of Bridlington and lived and resided in a house there called and knowne by the name of Blaykelocks house to which house the said seate was appropriated." Willm. Corbet and his family from his death, that is, Tho. Corbet senior, have occupied Blaykelock's House and the said pew. T. Corbet senior and T. Corbet junior are persons of very good credit and repute and live in Bridlington and have considerable estates there, and do pay and contribute severally towards the repaires of the Church of Bridlington a greater proportion than the other party in the suit does, and neither of them has any other seat in the Church.

Mr. T. Corbet senior hath four sonnes and one daughter, and his eldest son T. Corbet junior and his daughter are both married, and the seat in controversy will not conveniently contain more persons than the families of T. Corbet senior and junior.

It appears that the claim to sit in this particular pew was founded on a supposed right attached to a house called Collinson's House; the second set of allegations proceeds to deal with that claim.

" . . . before the time of the making uniforme and altring the seates in the parishe Church of Bridlington . . . where the seate in controversie now stands there was a much larger seate and severall familyes sitt therein to the number of four, five or six and att the alteracion two parts of the large seate or thereabouts were taken off."

" . . . the house called Collinson's House was anciently the inheritance of Mr. Willm. Corbet deceased and lett by Willm. Corbet to one Collison who lived in the house for some time, and in case Collison at any time sitt in the seate in controversy 'twas by leave and permission onely of Willm. Corbet.

Chris. Hillyard being a gentleman and destitute of a seate in the Church of Bridlington did by leave and permission of T. Corbet senior and at the earnest request of C. Hillyard sitt in the seate for the time confessed . . . Geo. Firbancke . . . marryed a neice of T. Corbet sen. and in that respect and out of kindness to him he sat in the seat by leave of T. Corbet sen., as also did Mrs. Crompton by leave of T. C. sen. who when his family increased discharged her from sitting therin and thereupon she begged leave of one Mr. Tho. Ellis to sitt in his seate . . . and did sitt there for a considerable time while she lived in the house called Collinson's House.

“. . . since the time of the making uniforme and altring the seate in controversie divers persons have lived and resided in the house called Collinson's House . . . for many yeares together, more especially and particulerly Mr. Chris. Bradley, Fra. Lowthorpe and Margt. Middleton, none of which ever sit in the seate or pretended any right to it.”

Collinson's House was bought by Willm. Corbet; later it passed to Hen. Corbet and Hen. Bushell, who sold it to Chris. Hilyard, who in turn sold it to Tho. Wilson, who now claims a right in the disputed seat. Tho. Wilson is a woollen draper by trade; he has a wife and a six-months old child, and no real estate in that parish or elsewhere save Collinson's House, which is not worth above £7 a year. It is alleged that he has not yet paid the purchase price of the house but pays interest for the money, and pays much less in assessment for repairs to Bridlington Church than either of the Thomas Corbets.

The responsions and attestations contain many conflicting claims and some flat contradictions; the strongest witness against the Corbets was Tho. Collinson, then Vicar of Rudstone, who claimed to have been Minister of Bridlington about 1649, when he sat in the “reading pew.” The strongest witnesses for the Corbets were Robt. Carlisle of Sewerby, who spoke of seeing Mr. Bradley, who was the schoolmaster of Bridlington, sit in the Minister's Pew while Mrs. Bradley his wife sat in Sir Willm. Hustler's, but neither of them sat in the seat claimed for Collinson's House, although Mr. Bradley lived in that house, and Mrs. Bradley now a widow, who denied that she or her husband ever pretended any right to the seat; she herself, and also her sister, always sat with Mrs. Hustler who was afterwards the Lady Beaucocke. She sat in Lady Beaucocke's seat only by her leave and permission, nor does she know that there was any seat in Bridlington Church belonging to Collinson's House. Although the sentence in the case has not been preserved on the file, the balance of evidence is undoubtedly stronger for the Corbets.

This is the general pattern of all the cases from Bridlington, even when the dispute is for a single sitting in a pew, and even when a sitting in a loft erected at the cost of the parish is in question. Many points of interest or value for local history emerge in the course of the evidence of these various suits, as that about 1632



there was a school in the chancel of Bridlington Church, or that the Lords Feoffees of the Manor were concerned with the Minister and churchwardens in the allocation of pews, or that a list of all the sittings in the Church was in existence about the year 1662. The trades and occupations of townspeople, and their relationships, are often given; the complications which might arise when a man became a Quaker and his sitting be taken by default are made evident; the circumstances of the private building of pews and lofts are illustrated; one man was not allowed to sit in a newly-constructed pew until he had paid his share of the cost of making it. In one case, in 1779, a long descent is given of the ownership of a house by reason of which a right to sittings was claimed: it appears first as the property of Mary Tympert, then of one Allon Lamont, from whom it passed to John Grimston; then to his nephew Robert Grimston, who was followed by his son Robert, who sold it to Richard Kentish, surgeon, who leased it to Mr. Carleil Surgeon, who was followed by Mrs. Hewardine. Mr. Carleil however did not sit in the seat claimed in connection with the house, but in the seat of Ralph Creyke, and his maidservant in a seat belonging to herself; for a time Mr. Kentish sat in a pew belonging to Mrs. Bower his first wife's mother, but afterwards in the pew in dispute. In this case there was great emphasis on the obligation to repair the pew and on the paying of assessments to the Church generally. The Bower pew was in a loft; there were both private and public lofts. The preamble to the articles in a case in 1740 shows the degree of detail into which some of these disputes enter :

“ . . . to show cause why a certain seat stall or pew scituate on the North side of the middle Isle of the parish Church of Bridlington, adjoining on the East to the pew of Mrs. Jane Harrington and others, on the West on a pew in which Robt. Corney and others now sit, on the North on a pew in which Francis Tate and others now sit, and opening into the middle Isle, containing in length 10 feet 9 inches, and in breadth 2 feet 9 inches, should not be confirmed to John Cross Thomas Watson and Michael Wilson, but why the 5th and 6th sittings . . . from the end or door thereof should be continued and confirmed to Francis Jackson a parishioner and inhabitant and one of his family.”

Here, although the other parties claimed that they had large families, paid rates to the Church and had not another pew, while Jackson had a seat in the South Isle or Alley sufficient for him and his family, the Minister and churchwardens supported Jackson's claim, because he and some one of his family “have for these fifteen years last past, as several others before him inhabited in the house where he now lives (or the last inhabitants before him being Dissenters, others by their leave) have done, many years before sit in and made use of the 5th and 6th sittings thereof from the end or door . . . we apprehend no persons right will be injured thereby . . .”

Bridlington also supplied an unusual variant of these cases, when in 1808 the keeper of an Inn at Bridlington Key applied

for permission to build a loft or gallery to accommodate his summer visitors, Yet even here he is careful to state that he paid Church rates at a large figure.

But we are straying somewhat from the main purpose of this note, except in so far as these later cases conform to the main topics with which we set out—the association of the right to a pew with the holding of property, and with an obligation to repair, either personally or through assessments, the control of the allocation of pews by the incumbent and the churchwardens, and the irregularity of any prescriptive ancestral right to the holding of a pew in a Church.



## TWO EFFIGIES ON THE EAST COAST (AT FILEY AND AT BARMSTON).

By the late Rev. HENRY LAWRENCE, M.A.

Written in Aug.-Sept. 1947.

Rev. H. Lawrence (Vicar of Boynton and Carnaby, 1929-44) died at Bridlington,  
17th December, 1947.

As no account of these two figures has been printed, beyond the passing and often misleading references to be found in local histories, a brief description may be of interest to our readers especially as each of them illustrates an important point with regard to the setting up of commemorative effigies.

The older of the two is at

### FILEY.

The recent appearance in a popular periodical of an inaccurate account of a small figure of an ecclesiastic at Filey has suggested that a description of the figure ought to find a place in the pages of the Journal.

This miniature effigy measures two feet eleven inches in length and is fixed against the south wall of the nave. This is unlikely, however, to be its original position. The carving is rather clumsy, the pillow for instance being much too large. This appearance of inferior workmanship is accentuated by the addition in modern times of a badly-carved nose, several sizes too big and of a different-coloured stone. The result is almost grotesque. The tonsure is plainly visible on the head, which is uncovered and rests upon a double pillow, the lower part square, stretching the whole way across the slab: the upper part a smaller square set diagonally. The face is clean-shaven contrary to the general belief as to the practice of the canons of the Augustinian order. It would seem to be a fact that the secular canons were bearded whilst the regular canons were not. This is borne out by the known pictures of John de Thwing, prior of Bridlington 1362 to 1379, afterwards canonized and known as St. John of Bridlington.<sup>1</sup> The hood is thrown back on the shoulders and is attached to the cloak. Under the latter is the black cassock of the order fastened at the waist with a leather strap.<sup>2</sup> The feet rest upon an animal which is too broken to identify. The hands are raised in prayer on the breast

<sup>1</sup> There are representations of the saint in painted glass at Ludlow, Morley (Derbyshire) and Warwick: on a wooden panel at Hempstead by Eccles in Norfolk: and in illuminated MSS. (see *Brit. Mus. Roy.* 2. xviii).

<sup>2</sup> The long sleeves may belong to a surplice worn over the cassock and not to the cassock itself.

and hold a heart between them. This is a very common feature of heart-burials, the miniature figures at Tenbury, Cubberley, Letchworth, Little Easton, Horsted Keynes, and many other places show the hands holding a heart. It is, however, only fair to mention that the same feature sometimes occurs on full-sized effigies and in these cases it may be no more than a commemoration of the antiphon

*Sursam corda.  
Ad dominum levabo.*<sup>1</sup>

The church of Filey was given to Bridlington as part of the original endowment by Walter de Gant, the founder of the Priory. No vicarage was ordained and the canons of Bridlington continued to serve the church by a member of their house—an arrangement which was confirmed by Archbishop Greenfield in 1310—right up to the dissolution. There can I think, be very little doubt that the effigy we are considering represents one of the canons regular of St. Augustine, who being a member of the Priory had served the church at Filey. People both lay and clerical clung very closely to the privilege of sepulture within the confines of a religious house and it was no uncommon thing in the thirteenth and fourteenth centuries for a person who claimed the right to be buried in a monastery to keep up his connection with some other church by causing his heart to be buried away from his body. John le Breton who was buried at Hereford in the cathedral where he had sat as bishop from 1269 to 1275 directed that his heart should be buried at Abbey Dore, where the interesting slab which covered it still survives. One of the most interesting examples concerns a Yorkshire baron, Robert Lord Ros of Hamlake who, when he died in 1285, was buried with his ancestors in Kirkham Priory, but desiring to maintain the privilege of patronage which had come to him through his marriage with the heiress of Belvoir, he caused his heart to be buried in front of the High Altar at Croxton Abbey and his viscera in Belvoir Priory. The remarkable miniature effigy in Purbeck marble which covered his heart was removed at the dissolution to Bottesford church, where both it and the accompanying inscription may still be seen :

“HIC JACET COR DNI ROBTI DE ROS CUI'S CORPS  
SEPELIT APUD ILLA KYRKHAM A OBIIT XIII KL JUNII  
AO DNI M.CC.LXXXVX ISABELLA DNA DE ROOS UNR ISTI  
ROBBI DE ROOS JACET APUD NOVU LOCU JUXTA STAM-  
FORD OBIIT Q ANNO DNI MCCC.”<sup>2</sup>

The original of the Filey effigy no doubt claimed his right as a brother of the house to be buried within the precincts, but he showed his affection for the church with which perhaps he had a

<sup>1</sup> There is evidence that the heart was in some cases buried under a full-sized effigy when circumstances made it impossible for the deceased to be laid in his ancestral place of burial.

<sup>2</sup> The inscription is the copy made by M. H. Bloxam, *Asso. Arch. Soc., Rep. & Pap. : X. 146.*



long and happy connection by causing his heart to be buried there with an appropriate representation of himself in stone. Though there are several examples of heart-burials of ecclesiastics, besides the one already mentioned at Abbey Dore,<sup>1</sup> this is, I believe, the only miniature figure of an Augustinian Canon and therefore of exceptional interest. It does not seem possible to recover the name of the canon here portrayed. It is quite possible that he was a native of Filey, in which case he would take his surname from the place. For instance William de Fyveley, stated to have been a canon of Bridlington was instituted to the vicarage of Carnaby 29 April 1368. If, on the other hand, we are to account for the presence of this memorial by reason of his having served the church it is within the grounds of possibility that we have here the very man who was instrumental in obtaining Archbishop Greenfield's confirmation in 1310. In any case I am inclined to think that this date is not far from the time when the monument was set up.

It would seem almost unnecessary to state that there cannot possibly be any connection with the mediaeval custom of electing boy-bishops. In the first place these miniature effigies are much too small to cover the grave of even a boy-bishop, nor is there any record of any such interment having ever taken place. Unfortunately we have here one of those legends, beloved of a credulous public, which no amount of contradiction will ever kill. The article previously referred to describes this as the figure of a former "Boy Bishop" of Filey. The account is copied word for word from a brochure issued by the late Canon Cooper and distributed in large numbers.<sup>2</sup> The seed has taken root and Mr. Arthur Mee's account of the East Riding perpetuates the error.

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The other effigy under consideration lies some miles further down the coast at

#### B A R M S T O N .

The figure is carved from a block of Derbyshire alabaster, a material which at the time of its erection was in fairly general use for the best type of effigies. More than a century earlier its suitability as a medium for carving such memorials had been tried at Hanbury in Staffordshire, and from the middle of the fourteenth century, most of the best work was done in this material.

Between 1300 and 1420 a great change had come over the effigy-making trade. The figure of Sir John Hanbury just referred to, is the work of a craftsman, a definite individualist: the Barmston effigy is of the kind turned out by the alabaster shops, evincing a soulless uniformity coupled with accuracy of workmanship. The fact is that the carvers of this period had lost the imagination

<sup>1</sup> Salisbury, Winchester and Bitton (Gloucester).

<sup>2</sup> This little booklet includes an excellent architectural description of the church by the late John Bilson.

of their fourteenth century predecessors, and as yet their art had not begun to be quickened by the realism of the Renaissance. One has only to compare the lifeless formalism of this effigy or the ones at Swine with the vigour of such early figures as those at Bedale, Amotherby and Goldsborough to appreciate this fact.

The figure rests on a handsome table-tomb, now placed against the north wall of the chancel. The tomb has obviously been constructed to stand clear of the walls on all four sides, and indeed has only been moved from its original position in the middle of the chancel in comparatively recent years.

The tomb itself is in fairly good condition. The top measures six feet eight inches by two feet six inches. Most of the cresting which surrounded it has gone, but a small portion remains on the north side and at the west end. On each side are six angels holding square shields; between them is tracery of fifteenth century date. At each end are similar angels holding shields; none of the shields are carved. The type of angel is that generally associated with the work of the Chellaston carvers. Similar angels with square shields may be seen at Bottesford, Leicestershire, and Willoughby, Nottinghamshire. Though there the angels hold heater-shaped shields, there is a close similarity between the Barmston tomb and one at Ashbourne, Derbyshire; in both cases the angels are separated by panelling like the tracery of a perpendicular window.

The head rests upon a tilting heaume with flowing contoise, but unfortunately the crest has entirely disappeared. On the head is worn a pointed bascinet encircled by a somewhat slender orle, elaborately carved (really a pad to support the tilting heaume, when worn). Round the lower edge of the bascinet is the usual metal strip. This strip, though lending itself to the ornamentation beloved of alabaster men, was introduced to protect the laces (which passed through staples and attached the camail to the bascinet), from a cut by sword or lance which might let down the camail and expose the neck and throat. Across the brows is the inscription—*I H S : NAZAREN :* According to Burton, the historian of the county, the effigy at Whitwick in Leicestershire bore the full inscription *MISERERE : ME I : IESUS : NAZARENUS : REX : IUDAEORUM :*, but only a few letters can now be read. The effigy at Bakewell, Derbyshire, has the inscription as at Barmston. It occurs in a shortened form at Hornby and Swine. *I H S* is fairly common and may be seen on three Derbyshire effigies of this period at Tideswell, Cubley and Longford. The throat and neck are protected by plate defences, and below them appears the indented edge of the camail. This is generally an early feature of the transitional period to which this effigy belongs. It may be seen, for instance, on the effigy of Sir Edmund de Thorpe of Ashwellthorpe, Norfolk (died 1418) and on that of Sir Ralph Green at Lowick, Northants. (died 1419). A comparison with Sir Ralph Green's monument makes it almost certain that the padded jupon is still worn over the cuirasse, since Sir Ralph's arms are shown in relief, which is common in the camail and jupon period, but





PLATE I  
EFFIGY AT FILEY







never occurs on full-plate effigies. The leather skirt with the taces attached would be fastened over the jupon. This skirt shows at least a dozen hoops or tassets fixed to a soft leather foundation, providing adequate protection for the lower part of the body, and at the same time allowing the hoops to ride up when the wearer was in the saddle. The lower edge is considerably damaged, and it is impossible to say whether (as at Tideswell) there was a fringe of mail showing below the bottom tace. The defences of the arms and legs are all close-fitting, with the usual ornamental strips over the outside joints. The hands, joined in prayer on the breast, are much damaged, but gauntlets with gadlings, as used in the first quarter of the fifteenth century, are worn. The feet, resting on a lion, are inclosed in laminated solerettes with flat plates on the instep. The spur-straps are elaborately ornamented. The hip-belt is composed of square links with the morse, or clasp, of the same pattern, but larger, with a shield in the centre, as is the case with the very similar belt of Sir Thomas Wendisley at Bakewell, who was killed at Shrewsbury in 1403. To this belt the dagger, or misericorde, has been attached on the right side, but only a small part of it, survives. By 1420 the hip-belt, when worn, had ceased to be much more than an ornamental feature, the sword being more advantageously carried by the diagonal baldric. This last is split at the end to be fixed to the scabbard at two points, one above the other, but the sword has gone altogether. The cops at the knees and elbows are of the same type, butterfly-shaped, with overriding lames underneath them at the top and bottom. The shoulders are also protected by overlapping plates, with semilunar palettes to cover the armpits.

This effigy is perhaps the best example in the country to show the commercial character of the trade, for here we have a monument which was made for an entirely different person, and obviously intended to be set up in an entirely different Church. For some reason the "shop" had this effigy thrown on its hands; of course, we cannot tell how long it had to carry dead stock, eventually, however, an effigy was required for Barmston. The purchaser had a chance of getting a good thing cheap, and the shop had a chance of getting rid of a white elephant, so a bargain was struck, and the result is before us.

It may be asked how we know all this. The answer is that in three places it has been altered. First, the spurs have been sawn off, apparently because the deceased was not a knight. Secondly, the crest has been removed and a new one fixed on with metal dowels. This too has unfortunately disappeared, depriving us of good evidence of identification, though the dowel may still be seen. Thirdly (and this is most interesting of all), originally a collar of esses has been worn, and has been skilfully removed. The outline of it may be traced over the shoulders and across the breast, and there are signs of the pendant between the wearer's thumbs. At the back of the neck, the last link on either side has not been removed, and the one on the right is clearly an "S." It is interesting

to note that the colour which survives shows that the letters were gilt on a green ground. This is the colour of the collar of esses originally worn by Sir John Arden at Elford (died 1408). This remarkably fine effigy, though belonging to the end of the camail and jupon period, has many points of resemblance with our figure. This is not the place to discuss the meaning of the collar of esses: it will suffice to say that it was undoubtedly a Lancastrian livery-collar, and it is generally believed that the "S" stood for *Souvenance*, i.e., remembrance, *Souvenez vous de moy*, or *Souvenez vous de vostre Souveregne*. There are traces of colour in other places, especially on the camail and the mane of the lion.

There is an illustration of the tomb in Prickett's *Bridlington* where it is assigned to Sir Martin de la See, and is stated to have been brought from the Priory. This latter statement is derived from Roger Dodsworth's *Church Notes* (1620),—"An antient tombe of alablaster. A man in armor theron. No inscription. It came out of Brelington." Both statements are blindly followed by Poulson in his *History of Holderness*. Both statements may be dismissed as impossible.

There can be no reasonable doubt that the monument commemorates the last of the long line of Monceaux, who held the manor of Barmston at least from the twelfth century.

The armour shown clearly fixes the date somewhere between say, 1420 and 1450. William de Monceaux died in 1446, and by will proved 1st Sept. 1446 desired to be buried in the Quire of Barmston Church. Having no heir, the estate passed to his sister Matilda, who married Brian de la See of Hollym, father of Sir Martin de la See. Martin's daughter and heir, Margaret, carried Barmston to the Boyntons, the owners at the moment of writing.

Two other points make the identification reasonably certain. William Monceaux is the only member of his family at that period who desired by will to be buried in the choir of Barmston Church. His father, John Monceaux (died 1426) was buried in "the Isle of St. Mary near the Altar" (the Lady Chapel) of the same Church.

And secondly, it was by no means unusual for one who was the last male of his line, having no issue, to install an effigy, often in his own lifetime. It we may hazard a guess, it would be that the effigy was installed after John's death, say, between 1430 and 1440.

Sir Martin de la See died in 1494 by which time such armour would have been completely demoded. This is another example of a careless statement once made, being blindly perpetuated.



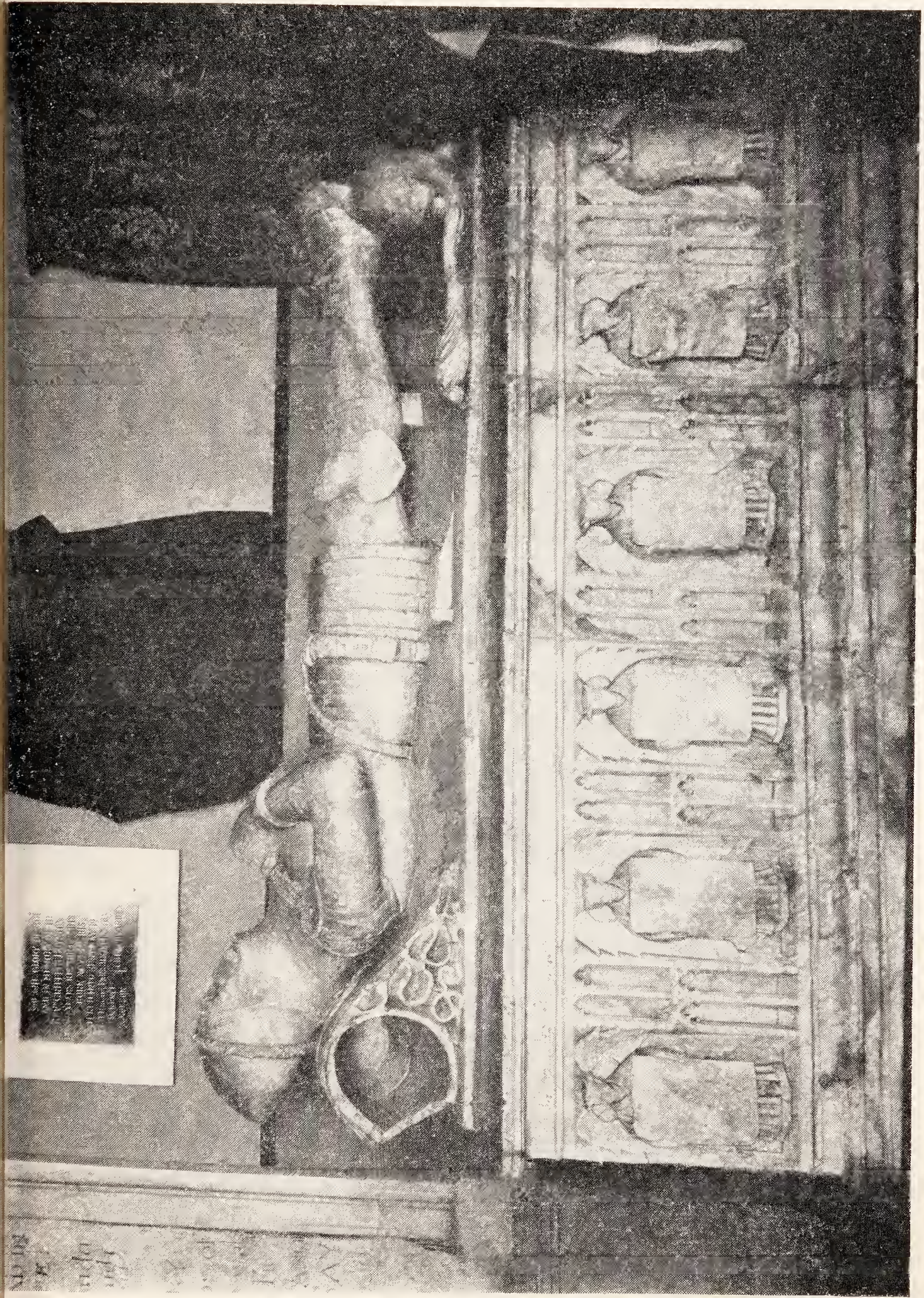


PLATE II

EFFIGY AT BARMSTON







## CARMIRE KNOWL.

By the late W. A. ATKINSON.

The traveller who makes his way northwards from Knaresborough by the high road to Boroughbridge passes on his right, as he leaves the town and approaches the Knaresborough Golf Club's clubhouse, a tract of low-lying ground named Carmires. This area, now enclosed and cultivated, is liable in places to be flooded in wet winters, and there can be no doubt that in by-gone times it was largely what its name, a duplicated description, implies—a scrubby swamp.<sup>1</sup>

This name is preserved in a row of modern houses, Carmires Avenue, in a lane, Blind Lane, running down the slope on the outskirts of Knaresborough a little to the east of the high road; and at the top of this lane, where it breaks away from the high road, the wayfarer may perchance detect the name "Hedlands" among various other house names. Three hundred and more years ago this sloping ground was known as Carmire Knowl; it was ploughed in the narrow strips characteristic of "open-field" cultivation; and one of the "headlands" upon which the plough team turned at the end of the furrows was probably near the site of the house now bearing that name with an obsolete spelling. Nearby, on the other side of the high road, is a branch road leading to the old and pleasant village of Scriven, a quarter of a mile away, and now almost reached by the outspread of the town of Knaresborough; and, as will be seen later, Carmire Knowl was perhaps in mediaeval times more closely associated with Scriven than with Knaresborough.

A dispute, leading to a lawsuit, in the early years of the seventeenth century has preserved much curious and instructive information, which might otherwise have been lost, not only about Carmire Knowl and the immediate matter in dispute, but also about the early relationship and administration of Knaresborough and Scriven, the one a "borough," and the other a rural "township." The dispute was between the first Sir Henry Slingsby, of Scriven, and Peter Benson, a substantial townsman and under-bailiff of the borough, whose son, Henry, was about the time of this dispute one of the representatives of Knaresborough in parliament.<sup>2</sup>

The matter in dispute was trivial, and the case is only interesting for the insight which it gives of methods of agriculture strangely different from those of the present time. As our record is mainly a statement from which inferences are to be drawn, let us begin with a brief, dated 1629, copies of which are among the

<sup>1</sup> Mawer : *The Vikings*, 124, s.v.v. *Car* and *Mire*.

<sup>2</sup> *Yorks. Arch. Journal*, xxxiv, 214-215: 217.

Slingsby muniments now in the custody of this society. The original spelling of the document is retained, but a few contractions are expanded, and punctuation is added.

“Inter Henricum Slingsby militem, querentem, et Thomam Sam, defendentem.

The land in question. Francis Slingsby esquire was seized of a Tenementum in Screvin, and above lx: yeares sence did grante the same to one James Peareson, an old servant of his. The said James Pearson by himself and his assignes did enioye the same together with the land *in Carremyre Knowle* duringe his life, and died about 1<sup>o</sup> of King James.

“After his death Peter Benson, havinge bought all or a greate parte of the land in Carremyre Knowle except this of Mr. Slingsby, desiered to be Tenent to Sir Henry Slingsby<sup>1</sup> for his land in Carremyre Knowle, and enjoyed it at a very easie rent for 17 or 18 yeares togeather, except an intermission of one yeare.

In this time the said Benson, buyinge all the rest of the land in the said flatt, except before excepted, did enclose the flatt from towe (*two*) laynes whearvnto it laie open, and did plante quicque (*quickset*?) and nourishe it to be a good hedge.

Havinge made a hedge, he could not plowghe the landes quite thorowghe as was accustomed, wantinge the helpe of the towe lanes, whearevpon he then made a heade land, and plowghed over the endes of his owne landes and the ends of some of Sir Henry Slingsbies landes which laid betwene his the said Bensons Landes.

Nowe he chalenge the all the heade lande, havinge cutt off the bredthe of a lande from the lengthe of Sir Henry Slingsbies lands.

He had noe land by discente in that flatt, and, the whole flatt conteininge not above six or seaven acres, (he) hath bought it of five or six severall persons at the leaste: he can not then possiblief have a heade land except he bought a heade land.”

Another copy supplies this additional note :

“It is easelief to be discovered that their is rigge and furrow wheare the hedge standethe.”

This statement will be quite clear to anyone who is familiar with the descriptions of “open field” cultivation which Seebohm and later writers have given; but as it contains one or two technical terms, while others will be used as the subject is developed, a little space may perhaps be profitably devoted to an outline of open

<sup>1</sup> Son and heir of Francis Slingsby, Esq.



field agriculture, the more so because the change from it to modern methods was one of the greatest silent revolutions in English social history.

Hedges, which are now so conspicuous a feature of rural landscapes, were comparatively rare in early times, and were mostly used to restrict cattle and other live stock to grazing land, wastes, and folds, generally described as "closes." Arable cultivation was carried on in the great remaining spaces surrounding and separating the townships; and these spaces were ploughed out in plots according to the natural features of the ground and to some limitations imposed by the operation of ploughing itself. Stony, barren, or swampy ground, streams, woods, and the slope of the land were some of the natural features affecting the size and shape of these plots. Next to the construction of the plough, which necessitated a straight and narrow furrow, the strength of the oxen was perhaps the most important working factor in the layout of the ploughed plots. Experience proved that at the end of 200 yards or thereabouts the oxen were "blown"; and there the ploughman turned his team about, no matter how much open ground lay in front of him, and cut a new furrow by the side of the one already made. That set the nominal length of the ploughed patch; it was truly a "furrow-long," and while open-field cultivation was carried on, these patches were generally called "furlongs." So too the space upon which the team turned became a "headland" irrespective of the contour of the ground.

Having laid down his first furrow, the ploughman ploughed round it, as he still does, turning the soil always inwards towards the line of sod first raised. Theoretically he might have continued to do this without break as far as the nature of the ground would permit. But the steadily increasing length of the headland opposed this, because the journey from the last completed furrow to the beginning of the next was unproductive. Moreover, it was not only economical, but convenient for the measurement of space and work, to adopt a unit which was not too wide. And so the ground was ploughed out in relatively long and narrow "strips" or groups of furrows separated from each other by the narrowest "balks" of unploughed turf. As these strips were generally arranged to assist the drainage, to catch the maximum of sunlight, or for some other good agricultural purpose, they were ploughed year after year in the same way and position; and as the soil was always turned towards the same central line, a permanent ridge was raised. These ridges can still be seen in innumerable fields in various parts of the country where ancient cornland has been converted to grassland, and the ridges have thus escaped the larger operations and the cross-ploughing of modern agriculture, which would have obliterated them.

These strips followed one another side by side as far as the nature of the ground favoured them, often producing a plot or panel which was longer at right angles to the furrows than along them. Hence arises one of the numerous ambiguities of nomen-

clature which make the study of open field cultivation more difficult than it need be. One writer will make the longer axis of the plot its length, while another will still regard the line of the furrows, because of its origin and initial importance, as the length of the plot. As the nature of the ground and the endurance of the plough team fixed the size and shape of the ploughed patches, there were necessarily odd corners where the furrows could not be ploughed out to their full length, or where the plough could not even be used, and in this last case the odd pieces, the "gores" as they were commonly called, were dug by hand. Every available part of the arable ground, saving the balks dividing the strips and plots, and the tracks and paths necessary for intercommunication, were ploughed or dug, including the headlands, which were ploughed lengthwise after the strips were finished. Finally, to round off this description, the plots were grouped into several large "fields," each of which was a unit in a rotation of crops including a fallow, as for instance a three field rotation of wheat, barley, and fallow.

Reverting now to the brief, it will be noted that the field strips are also referred to as "rigge and furrow." Strip, ridge, and bed are all terms commonly used. The brief supplies another, "land," which is common in older documents. It is used in its ordinary sense, and it is used in a technical sense, with the meaning of strip, as is shown by the plural "landes." Another technical word is "flatt," applied to what I have hitherto described as a plot, that combination of strips which made up a patch or unit in the open field. This term, practically exclusive in this district, is used elsewhere, though not so generally as "furlong," another ambiguity.

Sir Henry Slingsby's case was this. He owned two "landes" or strips on Carmire Knowl, which is described as a "flatt," while Benson owned the "landes" on either side. There was, apparently, a lane at each end of the strips, and as long as the ground lay open, the ploughmen ploughed out to it, and turned upon the lane itself. When the hedge was planted, they were no longer able to do this, and Benson made a headland within the hedge and crossing the ends of the "landes." He seems then to have claimed the whole of this headland as his own, including the piece cut off from Slingsby's "landes." This piece cannot have been more than a few yards square, and it is difficult to discover upon what grounds Benson based his claim, seeing that, as stated in the brief, he had no land or ground but what he had bought, which did not include any of Slingsby's.

Following the statement already quoted, the brief proceeds to set forth the evidence. This need not be given in full; it will be sufficient to extract some further details from it.

Edmund Birnand and others were to prove :

"That Peter Benson was Tenant to Sir Henry Slingsby for the land in Caremyre Knowle from the first yeare of Kinge James for eightene yeares or their abouts";



That before the first year of James, and for some years after, there was no headland, nor any hedge, and that the ploughmen ploughed through into two lanes;

"That Peter Benson had noe land by discente in Carremyre Knowle but hath bought it all of 5 : or 6 : severall persons, and yet the whole flatt conteynes not above 6: or 7: acres;"

"That about 5: or 6: yeares sence *he* (Francis Pickard, *in the margin*) and his partners did sheare (reap) all Carremyer Knowle except Sir Henry Slingsbyes to the vse of Peter Benson, and did not then sheare that parte of the heade land nowe in question";

"That Peter Benson, being Tenent to Sir Henry Slingsby, and havinge purchased the rest in Carrymer Knowle, did plant hedges and devided Carrmyer from the towe laynes and then made a heade land; and after(*wards*), when Sir Henry Slingsbye had his land in his owne occupation, did desier leave to plowghe thorowe, and had so much corne delivered to his plowgheman by Sir Henry Slingsbyes offecer as would sowe Sir Henryes parte of the heade land."

The witnesses to these statements were Edmund Birnand, Thomas Kirkman, John Roundell, Robert Foxton, Christopher Wayde, Francis Oddie, Richard Andrew, Francis Holmes, and Robert Lightfoote. The names of Henry Jackson, John Gibson, and Francis Pickerde, which were originally in the list, have been crossed out. Pickerde, it is said, "is not able to travell to Yorke"; and this may have been the case of the other two. Sir Henry's ploughman was dead. Several of these names particularly Birnand, Kirkman, and Roundell, have still memorials in place and institution in Knaresborough. Edmund Birnand was Slingsby's steward and bailiff, and his exceedingly beautiful penmanship is preserved in one or two account books of the period.<sup>1</sup>

The further legal proceedings and the judgement in this case have not been sought. Much more about open field cultivation can still be gathered from the documents available and from the site itself. First let it be particularly noted that Benson had bought his "landes" from five or six different persons, although the whole "flatt" contained not more than six or seven acres; and further that, when Slingsby retained his landes in his own hands, his ploughman had ploughed them, small plot though they were. His ploughman had turned on the unploughed headland, which was left to be afterwards ploughed by Benson's ploughman, Sam; but Slingsby had protected his ownership by delivering to Sam so much seed as would sow the portion of the headland which he owned. Not only are these details instructive as to practice, but they point to survivals of ancient custom, such as the actual holding

<sup>1</sup> One marked "K. iv." - It is written up from both ends.

of individual plots averaging not more than an acre each. This carries us a long way back towards the conception of a vast field of similar strips owned, or periodically allotted, in a rota, with, still further in the past, shifting allotments and a communal plough, to which early records point.

Carmire Knowl is at the present time being laid out as a building site. Before these operations began, the ridges were plainly visible, especially when the grass was short. This was most noticeable in a corner field, one side of which was formed by Blind Lane, while the bottom was bounded by a wider lane at right angles, known as Halfpenny Lane.<sup>1</sup> The latter is part of a thoroughfare connecting the highway to Boroughbridge with the highway to York. Standing in Halfpenny Lane, and looking southwards towards Knaresborough, which is however hidden by the crest of the "knowle," the ridges were to be seen following each other across the field like slight but regular heaving on a sea. Their length was practically parallel to Blind Lane, but the nearer ones ran into the hedge at a very sharp angle; the others could be traced downward to Halfpenny Lane, upon which they abutted in a rather broken way against a hedge some feet higher than the road, a difference of height attributable to several causes, such as the accumulation in the hedge bottom, the natural wearing of the road into a "hollow way," and the terracing of the slope of the knowl across which it runs. In some places further along the road traces of the ridges can be seen on the other side of it, fading away into what must have been in early times swampy ground; and this nonconformity to hedges and modern thoroughfares is one of the best indications that we are dealing with ridges produced by ancient "open field" cultivation and not by other causes, such as draining.<sup>2</sup>

After the lapse of three hundred years, it is impossible to discover exactly where Slingsby's "landes" were, or even the position of the headlands. Nor can we be sure about either of the lanes which served as headlands before the hedges were planted. It is probable that the name "Hedland," already referred to, marks the vicinity of one of them near the upper end of Blind Lane, but the ground is now covered with buildings and the Ordnance and other plans of a century ago afford no help.

No detail of open field culture is perhaps more interesting, and at the same time more confusing, than that of its origins, its development, and its adaptation to social and political needs. The difficulties are largely due to two causes—the number and ambiguity of the terms used, and to two different methods of approach to the subject. Notwithstanding an effort to use as few terms as possible without ambiguity in this account, the number is considerable, and there are many others in use in various districts, such as "beds," "shots," "wongs," "stitches," and "yards," saying nothing of "selions," "cultura," and others of foreign origin.

<sup>1</sup> Cf. the Sketch Plan.

<sup>2</sup> Report of 39th Congress of Archaeological Societies (1931), 33-34.









Ambiguity is seen in the use of "furlong" for a linear measure, and for a patch or area which at other times may be called a "flatt" or a "shot." A "strip" will usually be a ploughed unit equivalent to a "lande"; but in some instances it may be the quantity held by one owner, and one may not know whether it was ploughed as one strip or was composite of several narrower ploughed strips.<sup>1</sup> Maitland refers to an "acre-strip . . . divided longitudinally into four waves, so that the distance from crest to crest or trough to trough was a perch in length."<sup>2</sup> And it is only by tacking on a measure to one of these terms, as "acre-strip" or "half-acre strip," that we can give or obtain some idea of its width.

In his epoch-making book on the *English Village Community* Seebohm approached this subject from the cadastral or mensural point of view, as his opening pages immediately show. His frontispiece, a tithe map of Hitchen township, has as an inset a diagrammatic "normal" acre-strip a furlong in length mathematically divided into roods and poles, and "afterwards adopted as the statute acre"; and he develops his exposition on this exact basis of standard furlongs, rods, roods, and acres. Other writers, the Orwins in their book on *The Open Fields*, for instance, attack the subject from the practical point of view, regarding the ridges and the plots as the necessary results of the ploughmen's labours carried on through centuries with an ever-growing care for practical efficiency and economy, and but little influenced by thoughts of measurements or organisation.<sup>3</sup>

While it must be admitted that Seebohm's method arouses immediate interest and creates a large and comprehensive conception, it hardly seems as logical as the alternative one, because the demonstration begins with highly evolved and definite results which are not entirely proved by the primitive and tentative practices adduced. The orderly conception is marred later, and made difficult, by the discovery that the facts do not quite fit into the standardised framework. "Acre-strips" and "half-acre-strips" rarely correspond with these measurements either in the manorial records and surveys or in the fields themselves. "At length," writes Maitland in his forthright way, "we reach the fields, and at once we learn that there is something unreal in all our talk of acre and half-acre strips."<sup>4</sup> When actually measured by chain and rod, they are almost invariably deficient, and yet for practical purposes they were treated as plots of the full measure assigned to them. This is well shown in a case cited by Maitland, in which the alternate plots or strips in a "field" were owned by Corpus Christi College, Oxford, and were recorded with their measured dimensions, while the intervening strips, privately owned, were only incidentally noted. They were all "two-acre" strips by reference, notwithstanding the fact that the measured plots were

<sup>1</sup> Maitland, *Domesday Book and Beyond*, 381.

<sup>2</sup> *Ibid.*, 384.

<sup>3</sup> C. S. and C. S. Orwin, *The Open Field*, 32-33, *et passim*.

<sup>4</sup> Maitland, *Ibid.*, 379.

on the average half an acre short of this area.<sup>1</sup> In a list of "terra nativa" or bondhold lands of Scriven twenty-three plots are named. More than half of them are half-acre plots but they range from one rood to, in one instance, three acres. The measurements, though expressed in figures, must be conventional, as may be inferred from the fact that no fraction of a rood is recorded; the mensuration of three centuries ago works out "patly."<sup>2</sup>

With such evidence before us, it seems desirable to study this subject with minds as far as possible free from modern conceptions of standardized measures. There may even be advantage in employing some term for the actual ploughed strips—the ridges as we see them in the fields today—which connotes no definite measurement and is at the same time free from ambiguity. The word "selion,"<sup>3</sup> the usual term for these ridges in our mediaeval Latin documents, seems in our English usage suited to this purpose, and I propose to use it in this way without any connotation of size, unless such is expressed. Maitland regularly uses it in this way, and, so far as I have been able to discover, in no other. Moreover, he makes the very useful note that, while common usage made four selions in each acre, whatever the width of the first selion in a "flatt" might be, all the other selions in that flatt were of the same width; and knowing their number to the acre, the nominal acres in the flatt, if not the real ones, could be ascertained by merely counting the selions.<sup>4</sup>

This regularity could be obtained without anything like a modern standard measure. The ploughman had but to place his plough and team at the head of the space to be ploughed, mark the outer extent of his team, plough his first furrow and continue to plough round it until the share was running in line with the marks he had made, when he would have ploughed a selion the width of his team or the length of their yoke. Starting again at a sufficient distance to clear the selion already ploughed, he would plough another in the same way, and so he would continue until the nature of the ground compelled him to lay out another flatt. A rod, possibly his goad, cut to the length of the yoke would be useful in marking out the selions quickly; and this would be his personal "rod," which might in course of time become a local standard. Whether it conformed to other rods or not would be a matter of small importance until men began to exchange or buy and sell land, and not even then so long as the same rod was used by both parties to the contract.

That something of this kind did take place is vouched for by a multiplicity of records. A team of eight oxen, ploughing four abreast, "seems to have been the normal manorial plough

<sup>1</sup> Maitland, *Domesday Book and Beyond*, 381.

<sup>2</sup> Slingsby Papers.

<sup>3</sup> Wright-Wülcher *Vocabularies*, i, 737: 20. *Hic selio, -nis*, a butt. Martin-Wright, *Count-Hand Restored*, s.v. *Selio*, A butt of land, an uncertain quantity.

<sup>4</sup> Maitland, *Ibid.*, 384.



team throughout England,"<sup>1</sup> According to the Welsh Laws, the long yoke of four oxen abreast was sixteen feet,<sup>2</sup> and this is said to be in practice the space occupied approximately by four oxen standing abreast in their stall.<sup>3</sup> Seeing that the ox-house was often, if not usually, in early times under the same roof as the dwelling house, and indeed merely an extension of it in length, some writers have derived the mediaeval house "bay" from this measurement. However that may be, the selion produced by ploughing a single width of a "yoke" of four oxen would be approximately, but only approximately, a rod, now standardized at sixteen and a half feet. Forty such rods would make a furlong approximately, and the selion would then be a rood in area. According to the Welsh Laws an *erw*, or plot, was sometimes laid out "by a man holding a rod of a certain length and stretching it on both sides of him to fix the width, while the length is to be a certain multiple of its breadth."<sup>4</sup> This would give a selion two rods wide, and with the same length as before an area of half an acre, the "half-acre strip" which is probably the most usual one recorded in terriers and surveys. Why a selion a rod wide should be laid down in one "flatt," and one of double that width in another, is perhaps to be explained by the nature of the ground, whether loose or stiff, and its effect upon the plough team. Referring to mediaeval times, the Orwins say "the oxen cannot do more than about half an acre a day, and this may consist of one large strip or two or more smaller ones."<sup>5</sup>

The ploughing of an acre is, I believe, regarded as an average day's work at the present time, and the width of the selions is "22 yards of less."<sup>6</sup> Larger "strips" may be named in terriers and other records, but many of these were probably not single selions in the first instance. The Saxon ploughboy questioned in Archbishop Alfric's *Colloquium* of the tenth century says 'ælcæ dæg ic sceal erian fulne æcer oththe mare' ("omni die debeo arare integrum agrum, aut plus").<sup>7</sup> This, however, is better evidence of the indefinite nature of the terms in those early times than of the amount of the day's work; the "æcer" was an *ager*, a cultivated field.

Let us return, however, to the fields themselves, which make so much of "our talk of acre and acre strips unreal." The selions at Carmire were plainly visible a little while ago, but it would have been vain to try to measure their width with any exactness, without pegging out arbitrary boundaries, seeing that the intervening balks were long ago obliterated. When paced out, they varied from ten to twelve paces in width, that is from about

<sup>1</sup> Seebohm, *Eng. Village Community*, 63-64; cf. Addy, *Evolution of the English House*, 69.

<sup>2</sup> Addy, *ibid.*, 211; cf. Seebohm, *Eng. Village Community*, 119, *et seq.*

<sup>3</sup> Addy, *ibid.*, 66-69.

<sup>4</sup> *Eng. Village Community*, 119.

<sup>5</sup> C. S. and C. S. Orwin, *Farms and Fields*, 22.

<sup>6</sup> Orwin, *The Open Fields*, 33: 127.

<sup>7</sup> Wright-Wülcher, *Vocabularies*, 90, 17.

thirty to thirty-six feet, giving a medium of thirty-three feet or two rods. Obviously they were "half-acre strips."

Fortunately the actual dimensions of Sir Henry's "landes" are recorded in a note, a mere scrap of paper, which has been preserved among the family papers. Here it is :

"Sr, I have sente your Wor<sup>d</sup> a note of the lengthe of your towe landes in Carmer knole, beinge 14 lynes of 14 yeardes longe, in all 196 yeardes in lengthe, in bredghte at the vpper ende 35 yeardes, at the lowe ende to the hedge 12 yeardes; bredght of the headelande in controversye is 4 yeardes brode; measuride by Robte Foster, Christopher Wade, and Edmunde Byrnande, the 30 daye of June, 1629."<sup>1</sup>

At first sight these measurements seem indeed to make the accepted theories unreal; but closer examination may yield some useful ideas, especially if we hold to the ascertained fact that such selions as were still traceable on Carmire Knowl were approximately eleven yards or two rods wide, and if we can at the same time avoid the rather fatal propensity to force exact results, and to be satisfied with nothing less.

First let it be noted that for a stringent enquiry exact measurements are made in yards; the traditional "rods," "half-acres," and so forth are laid aside. It is curious that the longer measurement is made with a "line" of fourteen yards length, a measure which corresponds to two Irish perches of seven yards each. But while this may serve to remind us of the variety of measures used in earlier times, we must avoid the assumption that the selions at Carmire were actually at first laid out according to this measure. The striding-out of the ground, supported by what is generally known about selions, precludes this.

Two approximations to the theoretical measurements of open field "landes" may next be noticed. The length of the full lande is 196 yards, practically nine-tenths of the theoretical standard. To this something should perhaps be added for the "rig and furrow" cut off by the new hedge at the end of the selion. The width at the bottom "to the hedge," presumably a second hedge parallel to the selions, is twelve yards, practically the two rods of a half-acre selion, with something perhaps added for balks. The width of the two "landes" at the top is 35 yards or five Irish perches, or approximately three half-acre selions. If we deduct twelve yards from this measurement in order to obtain one complete "half-acre" selion (196 yds by 12 yds.), there are 23 yards left, approximately other two selions of the same width, though probably not ploughed out as such, seeing that Sir Henry had but two landes. To this patch there was no bottom width. Apparently it ran out to a point, possibly wedged in between two full selions, but more probably between a full selion and a nearly parallel lane. In short, though accounted the equivalent of a lande or selion, it seems to have been one of those irregular patches called

<sup>1</sup> Ref. mark, D.4.



“gores” or “butts,” which were ploughed or dug as was most feasible, and might or might not yield evidence of the use of a plough. And though, as already said, the particular landes or selions which enter into this dispute cannot be identified, the local topography and such selions as could be traced before the ground was broken up tend to confirm this reconstruction. The selions ran down the knowl almost but not quite parallel to Carmire Lane, the nearer ones converging into it near the bottom, the remoter ones running out to Halfpenny Lane which crosses Carmire Lane at right angles. An upper headland, now obliterated by cultivation or buildings cannot have been far away from the position still indicated by “Hedlands” at the top of Carmire Lane, or as otherwise named, Blind Lane.

It is possible that these selions were actually older than Carmire Lane, or were ploughed across it before it was enclosed. In some “Particulars of Sir Henry Slingsby’s Lands in Scriven & Knaresburgh,” which appear to date from 1611, there is the following record :

“Parcell of a flatt called Carmire, whereof part of one side (of) the way is pasture inclosed, and part on the other side the way is arrable lyeing vninclosed, in the tenure of John Johnson, containing one acre one rood, whereof 3 rood, parcell thereof, was lately purchased of R. Thompson by Coppie of Court Rowle.”<sup>1</sup>

The total area of this “parcell” is five roods, sufficient for three “half-acre” selions as they were then ploughed out in short measure. Assuming that this parcel included Sir Henry’s two “landes” with which we are dealing—though of this there is no actual proof—may we further assume that there *were* originally three half-acre selions, and that they ran without a break across what is now Carmire Lane? In that case the part to the west of the lane was probably already enclosed pasture in 1611. The part east of the lane remained arable, and may have been treated technically as one fully ploughed selion and a “gore” or “butt,” the whole equivalent to two “landes.” Where the gore ran out with a slanting end to Carmire Lane there would probably never be a proper headland after the “parcel” was divided by the enclosure of the plot of pasture on the other side of the lane. And, as already seen, there was but one headland in dispute, and this appears to have been on the brow of the Knowl. It must, however, be stated that in the same list of “Particulars” of Sir Henry’s lands there is mention of a holding “alsoe upon one flatt arrable called Carmier Knowle in the tenure of Peter Benson containing by estimacon 1 acre & d(*imidium*).” No further details of this plot are given.

From the same list we obtain a clue to the origin of the name Halfpenny Lane.

<sup>1</sup> Copied in a folio volume labelled “Thos. Turner Slingsby, 1784.” Slingsby Papers.

"Alsoe one close of Meadow," the record runs, "called Halfpenny in the tenure of Wm. Darnton, whereof d. acre bought of Rich. Pallicer after the death of Uxor Hill, of Scotton, his grandmother, (*the whole*) containing one acre and d."

The halfpenny was evidently a fiscal assessment of the close. The hide in Saxon and Norman times was commonly reckoned as 120 acres.<sup>1</sup> It might in fact be more or less, but this number was specially useful for purposes of assessment, partly because it could be divided without remainder by many figures, but also because of its relation to the 240 silver pennies which made up the nominal pound. A tax of one pound the hide, had there been such, would have resolved itself into one of twopence on the acre, and a halfpenny on the rood. Whether a "halfpenny" close was exactly a rood or not was a matter of little importance until those comparatively late times when land began to be bought and sold in a competitive market. Then, of course, it could be exactly measured. So too, in relation to the knight's fee or *scutum*, reckoned as four hides or 480 acres, and normally taxed at 40 shillings or 480 pence. A "half-acre" strip would then be in common acceptance a "halfpenny" unit of ground, whatever its exact dimensions were; and this is probably what Darnton's Halfpenny Close originally was. Such a name will often have survived without any relation to the area of modern fields.

In preparing his case, Sir Henry Slingsby seems to have wished "to prove Knaresborough Field parcell of Screven," as there is a document endorsed with these words in the family collection. His purpose is not very obvious. The document contains some curious information, but as it relates mainly to Knaresborough and to local government, it need not be considered here. It will be sufficient to note that it refers both to a "Knaresborough Field" and a "Scriven Field," and states that "Peter Bensons lande in Carremier paid rente and layes to the grave (reeve, A. S. *gerēfa*) and constable of Screven before he boughte it,"<sup>2</sup> and that he had other land in "Knaresborough Field" for which he did the same. Much of this land seems originally to have been attached to cottages in Scriven.

Carmire Knowl is now laid out as a housing estate, and many houses have already been built upon it; the hedge and trees of Halfpenny Lane have been up-rooted, it has been widened, and has become a bus route. It is doubtful whether any survival of "open-field" cultivation could now be traced, and the historian may, perhaps, be considered fortunate in having rescued so much of an age-long past which in a few years will be so entirely obliterated as to be almost inconceivable.

<sup>1</sup> Maitland, *Domesday Book and Beyond*, 389; Seebohm, *Eng. Village Community*, 37.

<sup>2</sup> *Eng. Village Community*, 38-39.



MEMOIRS concerning  
SIR RICHARD YORK (of York) Knight  
(OBIT A.D. 1498)

AND THE ANCIENT STAINED GLASS OF A MEMORIAL WINDOW,  
FORMERLY IN THE CHURCH OF ST. JOHN, THE EVANGELIST, OUSE-  
BRIDGE END, IN THE CITY OF YORK (LATELY REMOVED INTO THE  
NORTH TRANSEPT OF YORK MINSTER).

By D. G. MOORE.

*Introduction.*

The writer's attention was first drawn to the subject matter of these memoirs by a paragraph in the *Yorkshire Post*, 3rd April, 1945, which in recording some recent items of news relative to the "furnishings" of York Minster, gave special prominence to the insertions of Medieval Glass in the North Transept. As there stated, this Glass had its origin in the Church of St. John, the Evangelist, Ousebridge End (or Micklegate), York, a church in that city recently pronounced redundant and now abandoned as a place of worship.<sup>1</sup>

It is understood that St. John's is not now to be actually demolished (as was threatened by the authorities when Mr. Bunnett wrote) but is to be handed into the keeping of York Corporation as an Ancient Building.

A plate in Monkhouse and Bedford's *York Churches—circa 1842*, gives a very precise idea of the appearance of this church, and its environs, a century ago; and apart from the style of vehicle and costumes of passers-by the scene to-day has changed but little!

It should be explained that although two large and virtually complete windows were concerned in this recent "translation" of Ancient Glass, it is with one of them alone—viz., that from the East end of the North Aisle—that these memoirs are concerned. This is now to be seen (complete) in the North Transept of York Minster,<sup>2</sup> the particular location chosen being a Chapel devoted principally to memorials of the regiment known as King's Own Yorkshire Light Infantry.

The Glass in question has been frequently referred to as a "Memorial Window to Sir Richard, Yorke." The writer's interest

<sup>1</sup> *Vide* a note on St. John's by R. J. A. Bunnett. *Y.A.J.*, vol. xxxiv, p. 113. *Vide* also *A Pilgrimage to York* (1931) by A. H. T. *Y.A.J.*, vol. xxx, p. 423. So far only two of the five threatened churches have actually met the fate then foreshadowed, viz., Christ Church, King's Square (demolished) and St. John's.

<sup>2</sup> Further and extensive particulars of the Glass will be given in Part II of these Memoirs.

being aroused, the dual task presented itself not only of verifying that tradition and of assembling as much information as possible about Sir Richard, but also of finding explanations and interpretations of the beautiful individual panels of glass (each of which appeared highly interesting) and in particular of the Heraldic portions in the tracery. The results, here presented, have been divided into two quite distinct, though inter-related, Parts, viz., Part I. Sir Richard York (of York), kt. Part II. The Memorial Glass.

## PART I.

SIR RICHARD YORK  
(OF YORK) KNIGHT.*Biographical.*

It was indeed fortunate that the will and codicils of a certain Ricardus de York—clearly “Sir Richard”—are to be found in one of the Surtees volumes which were devoted to transcripts of “Testamenta Eboracensia.” These pages from Surtees throw so much light on the family, friends, Church associations and status of the testator—aspects of much use in unravelling his “life”—that it is proposed (in rather an Irish fashion) to commence these biographical researches at the end, rather than at the beginning, by setting out at once and verbatim these testamentary documents. Here then is the record as edited, if not actually copied, by Canon J. Raine in 1868.<sup>1</sup>

## TEST. EBORAC.

## No. LXX.

The Will of Sir Richard York, Knt. (Reg. Horne at Doctors' Commons). April 8, 1498.

*Ricardus York, miles et aldermannus civitatis Eboraci. Sep. in eccl. B. Joh. Evang. prope pontem Use, coram imagine Trinitatis, in mea propria turnba ibidem fabricata. Volo quod illa quam aliquando conatus fuero fundasse in eccl. S. Joh. Bapt. in Hungate,<sup>2</sup> jain ad discretionem exec. fundetur et stabiliatur; et quod augmentatur, usque ad integralitatem unius sufficientis cantariae de ten. meis in Bowdem et Popylton: et quod dom. Tho. Gripthorp, cap. meus habeat pro. term vitae.*

*Volo quod reparatio tectura sive tecti chori dictar eccl. fiat de facultatibus meis, secundum conventionem faetae in quibusdam indenturis desuper confectis inter me et carpentarios in hac parte conductos.<sup>3</sup>*

<sup>1</sup> Surtees Trans. 1868. Part II, vol. 53 (being vol. iv of *Test. Eborac.*), p. 134, *et seq.*

<sup>2</sup> Canon Raine's Note. “This Church has disappeared.”

<sup>3</sup> Canon Raine's Note. “This aisle was not altogether built at the expense of the testator, as is evident from the Will of Thomas Spicer mercator 1505 . . . ‘To the buylding of the saide (north) yle, v treyse of tymber, and the stone to fulfil the space of ii romys.’”



Saepefatae eccl. xx nlu. pruprviei velveti pro capis; et je lez orfray de panno aurotaeto, cont. in tacturis imaginein Dominicar passionis; hac praesertim conditione quod parochiani suis sumptibus emant sibi unam capam condignam quodam scripto obligatorio cli; sin auteue, lego illud idem lez orfray monasterio Ebor. Eidem monasterio pro decimis oblitis vi marcas. *Lego lez Bedryn j craterem argent et deane.*

Dom Rob. Langlandes, cap. meo. par. xs, ad orandum pro anima mea.

Pauperibus in die sep. xli.

*Johannae, ux. meae, omnia teu. oc in Kyngston super Hull ad terue. vitae suae; rem. filius junioribus: et mansionem in qua habito ad terue. vitae; rem. Ric, filio meo primogenito et haer. Ricardo meo filio terr. &c in Barroyk, Newcastle, Sledmar, Normanby, et Donnyngton.*

*Filius meis junioribus, viz magistro Chr: legum doctori, Thomae, loillelmo et Johanno, et haer. omnia terras etc rationae tenurae de le copyhold in villa de Holtby, Morton, Heslyngton Flaxton, Barnby super Moram, Ryngbrowge, et Bisshopthorp, et singulis eorum j ten infra civ. Ebor. ad assign. exrc. Magistro Chr. filio mro x marcas annuatim ad term x ann Georgio et Egidio, filiis meis bastardis, xxli et melius, secundum gesturam eorum. Johanna York, sorori meae, et Elis. York sorori meae, si fuerit modo superstes xls (each) Res. domino Willelmo Senose episcopi karloil. abbatique mon B.V.M. Ebor dom Reginaldo Bray militi, magistro Chr. York leg. doctor. Ric. et Will. York filiis meis ac Johanni York, si expediat ex ejus gestura et moribus; quod specialiter, ut in aliis omnibus relinquo solertiae voluntati dicti reverendi patris episcopi et Reg Bray; quos constituo exec. His testibus, domino Priore mon B.M.V. doctoribus Thurkylby et Suffell commonactus, etc.*

*Codicil: Apr. 10. 1498. Magistro Chr. York, filio meo. terminos meos super dimissione rect. eccl. de Rybe dioec. Lincoln. Luminebus gloriosae V.M. eccl. par. S. Joh. Evang. cc lb. cerae. Domino doctori Suffell j vertus nobile. Volo. quod si filii mei voluerint concordare inter se, vel deviaverint in aliquo a tramite justitiae et aequitatis, quod tunc dicti ven. viri dominus episc. Karliol et Reg. Bray refount eos. Volo quod omnia bona mea manent in domo solitae meae habitationis. Volo quod filii mei habeant liberum ingressum ad domum meam quam meae uxori legavi Edmundo Tayliore j fuder plumbi Reverendo Episcopo Karliol. j annuluue cum j lapide de Sypyrs.*

M<sup>d</sup> that hereafter folowith the wyll of me Sir Richard York Knyght, of myn wyll and mocion, for the well of myn owne soule : and thus *I charge my sone Richard and my sones Chr. doctor Thomas, William, and John my executours, dischargeyng me and chargeyng them as they wyll answeere to me at the day of dome that they fulfyll my mind. I wyll that my cosyn, Guy Foster, have the pece that was my cosyn's his fader.*

I wyll that Roclyff have myn yeres in the land at Skarburgh. I wyll that they make an almsehowse for the Trinitie for vi men and vi women *Item that my lady of Clemethorpe have that I gaffe hir in the bylle*, as appiereth by her byll. Item that they, found oure Lady mess in my *parisshe churche*, and I geve unto it vjs viijd to be taken owte of the howse that Sir Richard Flynt hath. To my sone Doctor Christofer my cramsyn cloke lyned w<sup>t</sup> sarsnett To Robert Person a furryd gowne To Agnes Barkar a cramsyn gowne furryd. To William a gowne. I wyll that they agree with the child daughter, the smyth, for his house; or elles she to have hir house to hir and to hir heires. *I wyll that my sone Richard make a memor for me and myn annsystours at Barwyk, in the Chapell of Saynt Kateryn. I will that there be a vestment geven unto the churche of the Trinitie in the towne of Barroyk upon Twete.* Item I will that if my sounes can agre amonges themself, then the right revd fader in God bysshop of Karlell and Sir Reynold Bray shall have noon admynistracion of my goodes, but oonly my sonnes.

Moreover, the yere above written, the *xijth day of Aprill, that is to say on Shyer Thursday*, Sir Richard York knyght, holle of mynde, as it wele appiereth, in the presens of the persons whos names are after wreten, at *x of the klok afore nonne of the said day*, heryng the contentes above written red by *Maister Bryan Palmys*, said and declared that it was and is my last Wyll in thies wordes. "Haec est ultima voluntas mea. And for more strength of the same writtyng, myn own name w<sup>t</sup> my owne hande as appiereth herein; and to the same sett my seall. And I say these words, "*Sum compos mentis et sanae memoriae.*" (Pr. 17 July 1498, adm. to Mr. Chr. York).

Portions have been italicised to emphasize matters specially referred to hereafter in these memoirs—the text is exactly as reproduced by Canon Raine in the Surtees volume. How pleasing (and convenient!) to find that the opening sentence at once identifies the Testator with the church where the Glass originates: for he enjoins burial "B. John Evang. prope pontem use in mea propria tomba ibidem fabricata."

Disused, and its windows shuttered by vast "black-outs," the writer penetrated this gloomy edifice during the year 1945, thanking an opportune ray of light from the west for illuminating a Tomb standing at the East end of the N. Aisle. In *York Monuments*<sup>1</sup> Mr. J. B. Morrell records it as "a Box Tomb . . . to Sir R. Y. who was Lord Mayor 1469 to 1492." Mr. Morrell's book just happens not to contain an illustration of this particular Tomb, but he has very kindly lent me an unpublished photograph from his collections with permission to use it as the very satisfying plate here given (Plate I). In Purey-Cust's *Heraldry of York Minster*<sup>2</sup> there is a little pen and ink drawing of the Tomb.

<sup>1</sup> *York Monuments*, Morrell (Batsford) 1944. 100 plates. (Reviewed *Y.A.J.*, part 142).

<sup>2</sup> Vol. 2, pub. Jackson, Leeds, 1896 at p. 195.



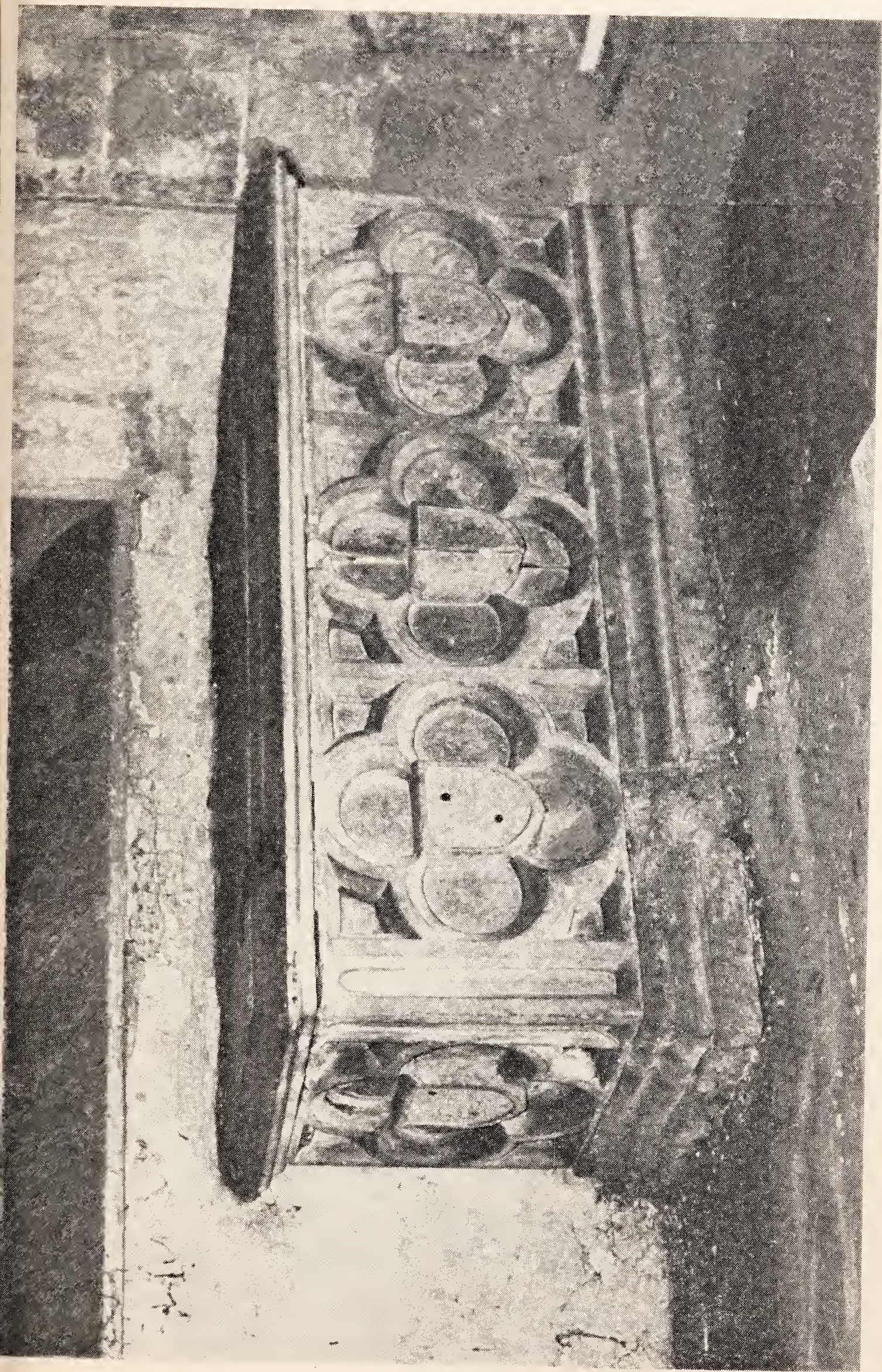


PLATE I

TOMB OF SIR RICHARD YORK







One notices at once that the shields lack their heraldic devices (a long-standing vandalism) so that perhaps one cannot assert positively: "this is the very Tomb of the Will—'ibidem fabricata.' " We may however adopt Drake's words<sup>1</sup>:—"There is a marble tomb, between the Choir and N. Aisle, said to be of Sir R. Yorke, but it is robbed of its arms." Descendants of the family have however fully persuaded themselves of its identity, for after I had cleaned the chamfer brass I made out an inscription thus :—(Left) SIR RICHARD YORKE (*sic*) KT. DIED APRIL 1498 HE WAS LORD MAYOR OF

(Centre) THE CITY OF YORK IN 1469 AND IN 1482 HE FOUNDED A CHANTRY IN THIS CHURCH AND HIS ARMS ARE IN THE WINDOW ABOVE THIS TOMB THE WINDOW AND TOMB IN PART

(Right) RESTORED BY JOHN YORKE ESQ OF BEVERLEY<sup>2</sup> ALL IN 1851.<sup>3</sup>

The late Mr. Mill Stephenson—a well-known contributor to *Y.A.J.*—in his list of York City Brasses records it thus<sup>4</sup>:—

"St. John's Sir Rich<sup>d</sup> York. 1498. The chamfer inscription on this Tomb is a modern restoration." Perhaps the word innovation would be better? At any rate Gent's compilation in 1730 stated: "North . . . is a Tomb but without any inscription": he boldly adds, "Sir R. York was interred here."<sup>5</sup> As the plate shows, the Tomb is divided in front into three quatrefoil panels on which the marks of the attachment of shields are still visible. (One sighs heavily over the loss for ever of these invaluable clues!).

It was from the will and the Tomb that the embryo of these memoirs took shape. Material began to accumulate apace, quarried from those mines of medieval history opened up for the student by the painstaking, disinterested and unrewarded labours of local Antiquaries and others. To those sources due acknowledgement is made (as shewn in the numerous footnotes to these pages).

It is desired to name specially Robert Davies (in respect of his *York Civic Records of XVth Century*); Dr. Maud Sellers (in respect of the *York Memorandum Book* and of the Mercer's Guild records); and R. H. Skaife compiler of the *York Freeman Rolls* and of the Corpus Christi records. In the pages of all of these, Ricardus de York flits across the medieval stage.

As the will commences: "R. Y. . . . *aldermannus civitatis Eboraci*," it may be considered appropriate to commence the known events of his life with his career as a "City Father." When he made his will, A.D. 1498 (a few days before death) he had been an Alderman over a very long and eventful period of years and the available records attest his assiduity and ability in that office. He was indeed, as the expression goes a "*worthy*" Alderman.

<sup>1</sup> *Eboracum* (A.D. 1736), p. 279. note (b).

<sup>2</sup> Should obviously be Beverley (near Pateley Bridge).

<sup>3</sup> Dates are in Rom. numerals.

<sup>4</sup> *Mon: Brasses* (York), *Y.A.J.*, vol. xviii, p. 52.

<sup>5</sup> Gent's *York History*, p. 169.

Let us examine, for example, an interesting chapter of local and personal history, transcribed for us (by M. Sellers) from the *York Memorandum Book*.<sup>1</sup> It concerns "a contraversie and debate hangyng betwix Thomas Nelson (and a son) of the one partie and William Scauseby . . . of the other partie" . . . touching some property in Thursday Market,<sup>2</sup> and tells of its settlement by the process of arbitration—(four centuries before the Arbitration Act of 1889!)—the record running that the then Mayor (Tong) "and Sirs Richard York, alderman; Miles Metcalf, Recorder: Will: Todd, merchant: and N. Pearson late Shireffs . . . made a full end in all thinges dependyng betwix the parties." The Extract is undated, but the mayoralty of Tong assigns it to a date as early as A.D. 1475/1476.

A few years later . . . July 1479, "there wer assembled in the Counsell Chambre of Ousebrigg . . . the maiour . . . recorder . . . with J. Gylliott . . . J. Marshall, W. Snaweshill, Richerd Yorke Aldermen . . . and others . . . who ordained "certain Rules governing Bread" called the Ordinances of the Bakers.<sup>3</sup>

Some years later when Ordinances are being prescribed for the Tapiters,<sup>4</sup> the worthy Alderman is sitting (27 Sept. 1490) "in the chambre," his name being the first inscribed of the 10 Aldermen present. We can take leave of Richard York (*qua* Alderman) at another meeting (Decr.) in the same year.<sup>5</sup> It is an important occasion, for John Harryngton had resigned his post as Common Clerk (Town Clerk), whereupon Robert Plumpton was chosen to fill that office.

Taking a step upwards to the *Mayoralty*, we will notice some particulars of Richard York's tenure of that office in the two Civic years, A.D. 1469 and 1482.

For some reason there was a considerable interval between the two periods of office—the dates however are well authenticated; e.g., in Drake's list,<sup>6</sup> or in the *Rolls of Freemen*<sup>7</sup> where each annual Roll is preceded by the name of the reigning Mayor. Per Drake—

A.D. 1469 (9 Ed. IV) Rich York(e).

A.D. 1482 (22 Ed. IV) Rich York(e).

There are of course many records of his participation in the events of his mayoralties—some of these are here mentioned; whilst the multifarious unrecorded duties of the medieval Mayor can well be left to the imagination!

The industry of Robert Davies in his perusal of Records of the City during the reign of Ed. IV Ed. V and Richard III and

<sup>1</sup> Surtees Soc. Trans., 1914 (II), vol. 125. (*York Memo. Book*, vol. II), p. 270.

<sup>2</sup> A small York Square still sometimes so called to-day: otherwise more generally known as "St. Sampson's Square."

<sup>3</sup> Surtees Soc., vol. 120 (*York Memo. Book*, vol. i) at pp. 170 to 172.

<sup>4</sup> Surtees Soc., vol. 125 (*York Memo. Book*, vol. ii), p. 213.

<sup>5</sup> *Ibid.*, p. 294.

<sup>6</sup> *Eboracum*, p. 363.

<sup>7</sup> Surtees Soc. Trans. 1896 (vol. i), vol. 96 (*Freemen of York*, vol. i), p. xi.



in his published extracts<sup>1</sup> from the Council Minutes, etc., in that special period, lays the writer under a real obligation, for Davies provides no less than 20 pp. of entries, "In the Mayoralty of Richard York, merchant."<sup>2</sup>—(2nd term).

We shall notice (from the *York Memorandum Book*) some strictly "domestic" items, but Davies seeks rather to mark the impact of national events, and of the partisan feeling of the times, as reacting in York.

There was, in fact, quite a turmoil over Richard York's very election as Mayor on the second occasion of his holding office, A.D. 1482; and there was a Minute which certified to the King under the Seal of the Corp<sup>n</sup>. of "the plane and trewe election of R.Y. at Saint Blaise<sup>3</sup> last passed elect maior of this wirshupful Cite for this yere ensuing" . . . and a deputation "of the xxiiij" was nominated to "ride up" to the King . . . "upon Wethensday next comyng." (One notes, with a smile, that suitable new clothing for the attendants was both envisaged and provided for). A few days later (28 Feb.) it was further resolved that the support of the Duke of Gloucester and others should be sought in respect of the Mayor's nomination. That these combined efforts were entirely successful is shewn by a Minute (12 March) which records letters from the King affirming the Election; but the business was not without expense, for the Minutes go on to authorize some handsome presents to "the Duke" upon his next coming to the City—then imminent.

Other extracts during this Mayoralty (of 1482) are full of political interest: they record a second visit of the Duke (18th June) on the latter's progress to the North against the Scots; and many matters touching the raising and payment of a levy from the City and Ainsty, and so forth—in all of which Richard York would be busily employed in his office as Mayor. Somewhat later, but still related to the affair with the Scots, Richard (Lord Mayor) is drawn into the storm in person for letters come from the King (22 Sep.) requiring him to be at Newcastle "as hastily as he could conveniently be."

For matters of internal local government one can turn to the *York Memorandum Book*.<sup>4</sup> In the first Mayoralty of Rich. York (1469) the records are meagre being confined to the routine entry of a deed acknowledged "afore Richd. York Mayor (29 Sep.)"; but in his second term (1482) many important civic matters relating to Medieval Crafts and Guilds are brought to light, in particular the Cutlers (and others); the Carpenters; the Bakers, etc.

One can readily imagine a variance arising between such trades as the Cutlers, Bladesmiths, Locksmiths and Blacksmiths—some overlapping leading to medieval oaths (and blows?); and

<sup>1</sup> Davies, *York Records of XVth Century* (Nichols, 1843).

<sup>2</sup> *Ibid.*, pp. 120 to 140.

<sup>3</sup> Saint Blaise. At one time this Feast (Feb. 3rd) was appointed in York as the day for choosing the Mayor for the ensuing year.

<sup>4</sup> Surtees Soc. Trans., vols. 120, 125 (*York Memo. Book*, vols. i and ii, ed. M. Sellars).

so it was, for (10 June 22 Ed. IV)<sup>1</sup> “came fore Richerd York(e), in the second time of his marialtie, into the Counsell Chambre, as wele the craftes of the Cutlers Bladesmyths as Locksmyths and Blacksmyths . . . and then of a variance betwix the Crafts made a ful acorde . . .” Surely a useful piece of arbitration at an early period of our industrial history?

Later, he is an active participant in matters of import to the Carpenters of the City; witness the following :<sup>2</sup>

“In the Honour of God, and for the weale of this full honour-abill cite of York, and of the Carpenters inhabit the same, at the instaunce . . . of . . . Michell Clerk . . . are ordeyned the xxijth day of Novembyre in the xxijth yere of the reign of King Ed: the IV (1482) in the second tym of the mairalte of the ryght hon. Richard York . . . for ever to be kept thez Ordinaunces . . .”

Here follow, in great detail, the laws for the Carpenters extending to 5 pp. in *Y.M. Book*, q.v.

This November month was a busy one for Mayor and Council, for at an earlier meeting (xvth) with “Richard York, mair”; the Recorder; seven Aldermen and nine of the xxiiij assembled in the Chamber, an Ordinance was made touching the price of Bread, etc.

The same subject (or substance !) is now (A.D. 1947) so topical that, for comparison, this interesting Bakers’ Ordinance (A.D. 1482) is here set out “in extenso” :—<sup>3</sup>

“And than and thar it was ordeyned by tham be the holl consent and assent of all the bakers of thys cite and enact that as long as the price of beyns beyn at iiijs or above that every baxter of thys cite shall sell thre hors loffys for *jd* and that everye hors loffe shall weye thre pound: and yf the price of beyns be under iiijs that then every baxter of thys cite shall sell thre hors loffys for *jd* and that every lofe shall weye four pound; the said ordinans to indure as long as it shall pleas the mair and hys bredyr and the counsell of thys cite for the tym beyng . . .”

An appropriate comment today upon the events “touching Bread”—A.D. 1482 and A.D. 1947—might be the succinct French idiom :—“Plus ça change, plus c’est la même chose !”

In closing these Mayoral records one may note here that the first appearance of Richard’s name in Municipal Records was the entry of his “Freedom” (by purchase) as early as 35 Hen. VI (*circa* 1456),<sup>4</sup> and this is certainly the man who was Lord Mayor for the first time some 13 years later.

The entry reads :—

“Ricardus de York . . . Merchaunt”

From the preceding references to the Medieval Crafts, in whose affairs the Mayor had given guidance, one passes easily to

<sup>1</sup> *York Memo. Book*, vol. ii, p. 247.

<sup>2</sup> *Ibid.*, pp. 277, 278.

<sup>3</sup> Surtees, *York Memo. Book*, vol. i, p. 170.

<sup>4</sup> Surtees Soc. Trans. 1896 (vol. i), vol. 96 (*Freemen of York*, vol. i), p. 177.



the Craft of the Mercers—prominent among the City Guilds. A Charter of Hen. VI (A.D. 1430) had authorized “The Craft or Mistery of Mercers of York”—a Guild which later (temp. Elizabeth) was incorporated in the “Merchant Adventurers.” Amongst these *Mercers* Rich<sup>d</sup> York is again to the fore, and it does not take long in perusing Dr. Maud Sellers’ transcripts of the ancient Rolls<sup>1</sup> before we note that Richard York(e) is Master<sup>2</sup> A.D. 1475. Amongst many other instructive and interesting records Dr. Sellers happens to transcribe items from the Roll of York’s Mastership of that year, these extracts occupying a full page<sup>3</sup> of the Surtees Volume, *q.v.*

Richard does not fail to pay “scot and lot” in the Company; the expenses of the annual Pageant must be defrayed and his contribution to the customary levy in the list of “Pageant Silver” is duly recorded: “Ricardus York, vi<sup>d</sup>.”<sup>4</sup>

Another famous body in Medieval York was the “Guild of Corpus Christi,” the Annals of which have been so diligently rescued and set forth by Skaife in yet another of the Surtees publications.<sup>5</sup>

In the lists of Admissions, York’s name duly appears: it took place in the year of his first Mayoralty, Skaife’s transcript being:—

<sup>6</sup> “A.D. 1469 per Dom. Jon. Johnson  
Rector Ecc. Beate Mariae Veteris  
In primis Ricardus York . . . major  
(also)  
Domina le . . . Darcey.”

I have particularly included the entry of “Darcy,” not only because Skaife has a footnote that R.Y.’s eldest son “is said to have married a daughter of Lord Darcy and Mennell,”<sup>7</sup> but because of a reference to the name hereafter *vis-à-vis* the Ancient Glass (Part II). We may also take a forward glance to the second son (Christopher) who appears amongst the admissions at a much later date (A.D. 1503)<sup>8</sup>—his father being then dead.

But aside from all these Civic duties and interests, Richard York was frequently immersed in the business of Parliament as one of the two *Burgesses* then summoned for the City of York; indeed, excepting the Parliaments in 1477 and 1487, he was elected for the City during a continuous period of almost 20 years from 1472 onwards, thus embracing the reigns of four kings: Ed. IV, Ed. V, Richd. III, and Hen. VII.

<sup>1</sup> Surtees Soc. Trans. (1917), vol. 129. *York Mercers and Merchant Adventurers*.

<sup>2</sup> The Charter designation had apparently been dropped in favour of the happy title of “Master, Constables and Fellowship.” *Ibid.*, p. 65.

<sup>3</sup> *Ibid.*, p. 72.

<sup>4</sup> *Ibid.*, p. 71.

<sup>5</sup> Surtees Soc. Trans. 1871 (vol. i), vol. 57. *Corpus Christi* (Skaife).

<sup>6</sup> *Ibid.*, p. 72.

<sup>7</sup> *Ibid.*, p. 72.

<sup>8</sup> *Ibid.*, p. 157.

Though at his first Parliament (1472) the House of York seemed firmly established on the Throne, yet, on the death of Ed. IV in April 1483, a period of political instability arose: witnessing the premature end of Ed. V's sovereignty (June); Richd III's brief reign, ending fatally on Bosworth Field (Aug. 1485); and the accession of the more fortunate Henry VII (forerunner of the Tudor dynasty) with the minor insurrections in the early years of his reign.

All these events would make the last 10 years of Richard York's Parliamentary duties one of great anxiety to the City, and no doubt to R.Y. himself, for it might require some adroitness to keep the City (and himself) in the favour of Richard III and, immediately after Bosworth, of Henry VII!

In the following notice of R.Y's Parliamentary career, great pains have been taken (for the benefit perhaps of any compiler of York Parliamentary records) to ensure accuracy, and all sources of information are stated:—

I. Richard York's first entry into Parliament seems to have been *circa* A.D. 1472<sup>1</sup> when his name is coupled with Thos. Wrangwyshe in a Parliament summoned by Ed. IV. and which continued in session until A.D. 1475. (In the next recorded Parliament, *circa* 1477, the City is however represented by Metcalff and Amyas; this circumstance being attested by an entry of expenses in the Compotus of the City Chamberlains—referred to later).

II. Davies<sup>2</sup> has a footnote suggesting York's election in 14 Edward IV (*circa* 1475) but the author does not give an authority for this. In fact no Parliament seems to have been in that year summoned, and one wonders if it is not a *double* error? that the figure 14 should be 17 Edward IV, although in that Parliament (as we have seen) Ricardus was not a City representative. (*ante* para. I).

III. In the "Official Returns" a disappointing gap now occurs: "No Returns found from 1482 until the reign of Hen. VIII (1523),"<sup>3</sup> and this deficiency seems to extend to the whole County. But once again Davies comes to the rescue for his transcription of Council Minutes in the time of Ed. IV (latter part) Ed. V and Richd. III supply, in these reigns at any rate, the information for the City in which the Official Returns are so deficient.

In 22 Ed. IV (1482), the 13th Dec., is this Minute<sup>4</sup>:—

"In Aula Cō."

"At thys day, be the advis of the holl counsell, my lord the mair Richard York et John Tong war chosyn Citizins et knyghts of the plement for this honorabill Cite et the Shir of the same."

<sup>1</sup> Park's *Parliamentary Representation of Yorkshire* (1886).

<sup>2</sup> Davies, *York Records XVth Century*, p. 122 (note).

<sup>3</sup> Park, p. 16.

<sup>4</sup> Davies, *ibid.*, p. 138.



(And upon the 23rd Dec. Miles Metcalf was chosen vice John Tong whom "God has so visite with sickness . . . he may not tak upon hym the said jorney."<sup>1</sup>)

This Parliament met 20 Jan: 1483.

IV. 1 Ed. V (1483) the 6 June a York Minute<sup>2</sup> records the writ of Summons for a Parliament *intended* to sit at Westminster xxv June, and requiring (somewhat unusually !) *four* cocitizens to attend, whereupon were appointed : Wrangwysh, Wells, Hancock and Hagge. (*Not*, one observes, Richd. York!)

This York Minute is historically useful, for it coincides with an entry in Lambeth Registry of a similar Summons to the Archbishop.

However this Parliament never formally assembled, Edward V being deposed 26 June :—moreover, these York records reveal that Richard III had by 21 June issued writs of "Supersedeas," for a Minute of that date reads (*inter alia*) :—<sup>3</sup>

"A Supersedeas was direct to the Sheryffe for the plement so that it shall not neede to ony Citizen to go upp for the Cite to the plement."

V. We pass now to the reign of Rich. III. Richard's Coronation (1483 July) was to have been followed by a new Parlmt. in the Autumn, and York Minutes (24 Oct.) record the selection (this time 2, not 4) of Ricardus York and Thos. Wrangwysh "as citizens of the plement of this Cite at the plement now to be holdyn."<sup>4</sup>

(*Note.*—This Parliament never assembled. Buckingham's insurrection supervened and writs of Supersedeas were issued 2 Nov. 1483).

VI. A new Parliament being imminent (it sat for a month at Westminster from 23 Jan. 1484) the City confirmed or renewed its nomination of York and Wrangwysh in the usual manner by a Minute bearing date "xvj die Januario primo Ric. III."<sup>5</sup> This was Richard III's only Parliament and whereat many of the adherents of Buckingham were attainted of Treason.

VII. HENRY VII. Richard being slain at Bosworth his brief reign closed on that fatal day, 22 Aug. 1485. With Henry VII in power we find Richard York serving again as a City Burgess to Parliament (though intermittently). (Accuracy at this point involved, at one stage, the recomposition of everything previously set down as my researches gradually uncovered the facts).

*Drake's Eboracum.* Between Ed. IV and 14 Hen. VIII instead of names we find only : "Many returns wanting."

*Park's Parlmy. Reps.* repeats the same formula.

*Surtees Soc. Test. Eborac. Vol. 53* in a footnote (p. 134) gives the dates for Richard York's election temp. Hen. VII as 1486, 1488 (Dec.), 1490; but these appear to be erroneous.

<sup>1</sup> Davies, *York Records XVth Century*, p. 139.

<sup>2</sup> *Ibid.*, p. 144.

<sup>3</sup> *Ibid.*, p. 154.

<sup>4</sup> *Ibid.*, p. 181.

<sup>5</sup> *Ibid.*, p. 184.

*Davies, in his York Records (ante)*<sup>1</sup> states that York served "in the first 2 Parliaments of Hen. VII. Further research does not confirm this !

*Barnitt Smith. History of Parliament* (1894) only refers to a Parliament of Nov. 1485 and is otherwise vague in the meagre data furnished.

But the *History of Parliament* (from the Library of the late Sir John Marriott) was made available to me, and by good fortune the second volume of this Series covers precisely the period sought for, being a Register of members of Parliament 1439/1509.<sup>2</sup>

High praise is due to this compilation and one hopes that this brief reference may cause it to be better known. (How useful would such a volume have been to the earlier historians—local or national). From this Register one learns:—

(A) Henry's first Parliament sat at Westminster in 1485 (Nov.) onwards into 1486 (March): Richard York was a member.

(B) Henry's second Parliament was 1487. (Richd. York was *not* a City representative. The nominations for York were Lancaster and Gilyot).

(C) Henry's third Parliament summed for January 1489, sat thence (with adjournments) into 1490 Feb. At the outset (in the first Session Jan. and Feb. 1489) the City had Richd. York as a member but in the second Session (Autumn) one finds that the names Lancaster and Gilyot have been substituted.

Another volume<sup>3</sup> of the foregoing Series *History of Parliament* (and for the same period 1439/1509) has been devoted to short "Biographies" of members including one for Richd. York, but this contains a few minor errors.<sup>4</sup>

To conclude the Parliamentary side of these Memoirs it is felt that the following extract should have a place seeing that its heading "Wages of Parliament" is again, (after 500 years), "in the News!" The "Compotus" of the York City Chamberlains (temp. 14 and 15 Ed. IV) contains this interesting item<sup>5</sup>:—

"Vadia Parliamenti."

"And paid Richard York and Thomas Wrangwissh, Aldermen, Citizens for this City to the Plmt: of our Lord King Edward the 4th *held lately at Westmst* for their "wages," namely for their wages :

"Eight shillings per day between them. £83. 4s."

(Mem.—This appears to be a calculation for the very long period of 208 days).

<sup>1</sup> p. 122 (note).

<sup>2</sup> Vol. II (official) pub. 1938. Issued by H.M. Stationery Office.

<sup>3</sup> Vol. I of Series. Pub. 1936, Issued by H.M. Stationery Office.

<sup>4</sup> *Ibid.*, p. 979.

<sup>5</sup> Davies, *ibid.*, pp. 44, 45. The original is Latin: I use Davies' translation.









In another Compotus (temp 17/18 Ed. IV) a similar class of expenditure is recorded<sup>1</sup>: the money being paid to Metcalf and Amyas at the same rate (4s. each) for 42 days; *plus* 12 days going and coming; *plus* £10 paid "upon their riding"<sup>2</sup> and other expenses.

In such manner was the payment of Members of Parliament disposed of some five centuries ago !

And now another sphere of national importance comes in view, for Richard York held office (and more than once) as *Mayor of the Staple of Calais* of which he was a Merchant. In an earlier period (temp. Edw. III) the "Staple of Wool" was at *York* itself; but later, when Calais had been occupied, the Staple was transferred thence. Drake wrote :<sup>3</sup>

"The Staple of Calais was a body Corporate with a Mayor . . . and continued in great affluence . . . until Calais was lost in the Reign of Mary. The York Merchants had a considerable share in this Staple . . . and were many of them members of this Corporation . . . Anno 1466 *Richard York*, one of the Guests at Nevill's Feast is there called Mayor of the Staple of Calais, that year, and was Sheriff of the City (of York) at the same time."

*Nevill's Feast* is an allusion to the ceremonies attendant on the enthronement as Archbishop (of York) of George Nevill (brother of Warwick), in the course of which, on 15 Jan. A.D. 1466, great entertainment was provided at Cawood Palace, the Feast given being described as "the greatest that ever subject made." ! Here at the "Fyfth table in the Hall" were seated "The Maior of the Staple of Calais. The Maior of York and all the Worshipfull men of the said Cite."

And if Drake's lists<sup>4</sup> be taken as correct R.Y. is again Mayor of the *Staple* at the period of his second *York* Mayoralty, A.D. 1482.

It is obvious that here was one of Richard York's principal commercial pursuits as a Merchant—the source we may suppose of that considerable wealth which the terms of his will, and the lifetime benefactions there mentioned, shew him to have amassed in trade ! It can scarcely be expected that evidences of his own private mercantile transactions are surviving to-day ?—there is, however, amongst the Harleian MSS. (MS. No. 433) a significant document related one may suppose to his overseas *trade* as a Merchant of the Staple ? This document tells us that (A.D. 1484)—about the height of his mercantile career—a License was granted to our "Richard Yorke for a ship of Kingston-upon-Hull, called 'Anthony of Hull,' of the portage of 260 tons."

By courtesy of the British Museum there is appended (Plate II) a facsimile of the Harleian MS. 433 comprising the Licence above referred to. The Licence is seen at the foot in three brief lines commencing, "A like licence . . .;" and to elucidate its

<sup>1</sup> Davies, *York Records XV Century*, pp. 64 to 67.

<sup>2</sup> "Rail fare and travelling expenses" ? !

<sup>3</sup> *Eboracum*, p. 229.

<sup>4</sup> *Eboracum*, "Mayors and Sheriffs," p. 363.

import a part of the immediately preceding entry is also reproduced, this commencing "Richard by the Grace of God &c." and ending with the date "anno primo."

The privileges of this Staple of wool; the "merchanism" of the buying and selling of the merchandise; and all the "apparatus" of such a medieval 'Change could form a separate study altogether and might reveal details of the active participation of Ricardus de York during his long association therewith as a Merchant.<sup>1</sup>

That connection is already well commemorated in one of the Heraldic shields in the Ancient Glass—"Arms of the Staple"—which will be fully noticed later (Part II).

With respect to his business in general as a Merchant, I have discovered a little "tit-bit" *à propos* a debt of one "Rouclyff of Eskyrk." and it gives me pleasure to acknowledge here the student's debt to that vast official series: "*Calendars of Patent Rolls*": for here in the volume temp. Hen. VII<sup>2</sup> is brought to light a "proceeding," which being brief and to the point may profitably appear in full:—

(14 Hen. VII).

"1499            Guy Rouclyff of Eskyrk<sup>3</sup> co. York Esquire alias of  
April 17        Methley co. York for not appearing before the Justices  
Westmstr:    of the Bench of Edward IV to answer Richard York,  
Citizen and merchant of York, touching a debt of £40.  
City of York."

The foregoing entry appears (with about 30 similar items) under a general heading: "PARDONS OF OUTLAWRY TO THE FOLLOWING—"

Significant date—1499! Richard York had departed this life the previous year. Within 12 months Rouclyff, either by excusal (the debt must have been quite 20 years old?), or by settling with the old Merchant's Executors, had obtained this formal Pardon of the "Outlawry" in which serious jeopardy York's debt of £40 had placed him far back in Edward IV's Reign!

Before passing to matters of a strictly personal and domestic nature the record of York's public career may be fittingly closed by a reference to the incidents which secured—or induced—the dignity of knighthood: an honour he received at the hands of Henry VII on the occasion of the Royal visit to the City in the second year of Henry's reign. One must recall that early in 1487 Henry's tenure of the Crown had been shaken by the Insurrection of Lambert Symnell! On that account the City of York had dwelt in a continuous ferment of apprehension from April onwards: continuing until the issue was "clarified" at Stoke (Saturday 16

<sup>1</sup> In the *Calendars of Patent Rolls, temp. Hen. VII, et seq.*, covering Richard York's mercantile life there are hundreds of entries relating to this Staple.

<sup>2</sup> *C.P.R.*, H.M. Stationery Office (1916), Hen. VII, vol. ii, 1494 to 1509, at p. 151.

<sup>3</sup> *I.e.*, Escrick, near York.



June); until, as the *York Civic Records* run : "upon the Sunday by iij of the clock in the morning tydings came to my Lord Mayor from the field (of battle) how God had sent the King victorye."<sup>1</sup> Soon thereafter, Henry came North, entering the City 30th July 1487, and it was on this occasion—*wishing to reward the loyalty of the City and gain favour of the inhabitants*—that the King conferred knighthoods both upon Wm. Todd (Mayor) and Richard York (Alderman).

Two years later another popular rising sprang up in these parts bringing the King once again to the City "to pacify and settle the City and County." This somewhat trifling incident is mentioned because Sir Richard seems (if Leland's words be "gospel") to have been personally concerned—or "involved,"—for Drake in describing the Fishergate Bar, in York, writes :<sup>2</sup> "Fishergate (says Leland) was burnt in Henry 7th's time by the Commons of Yorkshire who w<sup>d</sup> have beheaded Sir Richard Yorke, Lord Mayor, and has ever since been blocked up."

[One must, however, deplore the inaccuracy here revealed—for Richard York's final mayoralty was A.D. 1482—Ed. IV ! Doubtless some such incident did take place, for Fishergate Bar was blocked up for many years—(see one of Halfpenny's drawings, *circa* 1807). Perhaps as a supporter of the Crown during Symnell's Rebellion (1487) Sir Rich<sup>d</sup>. had been marked down as a symbol of Henry's "detested rule" by the later malcontents of 1489]?

The more personal side of these Memoirs such as Richard York's origin, his family, his friends and the like, may now be mentioned.

*Origin.* Research yielded nothing in the way of *local* antecedents, and if we turn back to the testamentary documents the reason surely is clear; for in the "death-bed" Codicil (12th April) the Testator seems to be calling to mind some matters of affection, such as his earlier days, and here it is that we find the needed clue : "I will" he says . . . "that my sone Richard make a memor for me and myn annsystours at *Barwyk* in the Chappel of *Seynt Kateryn*. I will that there by a vestment given unto the Church of the *Trynitie* in the towne of *Barwyk upon Twete*." (Fortunate that "Twete" is named for the diligent antiquary might have embarked upon researches at "*Barwyk-in-Elmete*" !)

The Parish Church in Berwick is in fact dedicated to the Holy Trinity, and one may be permitted to suppose that in York's time there was in it an Altar or Chantry in honour of St. Katherine.

In general these references to *Barwyk upon Twete* offer a field for further research. Perhaps Ricardus—either alone, or as a youngster with his parents—emigrated from the Border country down to York in the first half of the 15th century. He was certainly purchasing his Freedom there as an established Merchant as early

<sup>1</sup> *Vide* Paper on the Rebellion of Symnell, by Davies : Arch. Inst. Meeting, York, 1846.

<sup>2</sup> *Eboracum*, p. 306 note (e).

as A.D. 1456 (*ante* p. 220); whilst A.D. 1466 saw him Sheriff of York and Mayor of the Staple of Calais (*ante* p. 225).

The entry of his Freedom "*by Purchase*," as distinguished from those claiming *per Patres* further confirms his origins in the more Northern parts.

There is another and significant reference to Berwick—it is the first locality named in a devise by the will to his eldest son Richard, of lands in "Barwyk, Newcastle, Sledmar etc."

This property may have belonged to the "annsysours" whom he desires should be commemorated?

(*Note*.—From correspondence with the Vicar of Berwick on Tweed and with the Berwickshire Naturalists' Club, I have learnt that the Church of the Holy Trinity was pulled down soon after completion of the present edifice which—largely constructed from the stones of Berwick Castle—was opened for worship A.D. 1652. Thus any hope of discovering in Berwick Church some interesting link with York in the shape (if not of the vestment!) at least of some other visible memorial has dissolved into nothingness.

*Family*. His marriages. The Will (*ante* p. 215, line 10) refers (but only once) to "*Johannae, uxor meae*" in a gift to her for life of "*Omnia ten &c. in Kyngston super Hull . . . et mansionem in qua habito.*" A useful footnote in *Test. Ebor*<sup>1</sup> to the Will of John Dalton (Hull) has unearthed Johanna's own Will (of the year 1506) wherein she describes herself as "*late ye wife of Sir Richd York, kynght and marchaunt of ye Cite of York,*" but goes on to direct her burial at Hull nigh unto the sepulchre of John Whitfield *late my husband*." Whitfield would have been her husband *before* York however, as the former died A.D. 1479.

It is clear moreover that York himself had been previously married, for an inscription recorded in Drake (as taken from Dodsworth's MSS.) reads thus: "*. . . pro animabus Johanne et Johanne uxorum.*" Now with regard to York's *first* marriage the footnote in *Test. Ebor.* is limited in this respect to the observation: "*His 1st wife is said to have been Joan Mauleverer and no doubt she was the mother of his children.*" No actual authority is quoted for this tradition but it is obviously fortified by what will appear later in these Memoirs with respect to heraldic panels in the Ancient Glass (Part II).

*His Sons*. Here the information rests on the Testator's own words (*vide* Will). The life gifts to his wife (above mentioned) are followed by reversionary gifts to his younger sons . . . "*filiis meis junioribus,*" whilst (apart from other gifts to him) there is a reversion for Richard, "*filio meo primogenito,*" in respect of "*mansionem in qua habito.*" Thus it is clear that a son *Richard* is the first born and that there are others. These are later mentioned by name, when their father devises some local property (at Holtby, Heslington, Bisshopthorp, &c.), thus:—"filiis meis junioribus videlicet Magistro CHR: legum doctori; THOMAE;

<sup>1</sup> p. 24, vol. iv.



WILLELMO; JOHANNI;" whilst immediately thereafter follows a reference to GEORGIO et EGIDIO "filiis meis bastardis" for whom specially is provided the sum of "xxli. et melius *secundum gesturam eorum*." !

The final Codicil (12 April) names all the sons again as Executors, thus :—"I charge my son *Richard* and my sons *Chr.* (Doctor): *Thomas* : *William* : *John* : my Executors . . . charging them as they will answer to my at the day of dome etc."

The immediate fortunes of the five named sons appear to have been as follows :—

(1) *Richard* as the eldest is "to go up a bit in the world?"—by taking the feudal mantle assigned to him as "filius primogenitus" at any rate he is sole devisee of the properties at Berwick, Newcastle, Sledmere, Normanby, Dunnington, and is to have the family mansion at York after Dame York's death.

(In view of these extracts it will be puzzling to notice later that the panel of glass which obviously denotes a family of sons, indicates six and not five male figures).

(2) Then *Chris* : who is referred to "legum doctor" would be a useful man as an Executor and no doubt charges himself with much Executorship business in the multifarious concerns of his late father. As already noticed (*ante*) he was admitted in York to the Corpus Christi Guild a few years after his father's death. That he not only remained in York but took part in his late father's commercial affairs is revealed by an entry which I have been fortunate enough to discover in a *Calendar of Patent Rolls*.<sup>1</sup> There is printed in extenso a "Pardon" (or excusal from certain statutes) granted to the Mayor of the Staple of Calais and "the following merchants of the same" and in this list the last name (but one) is that of *Christopher York* ! This Roll is A.D. 1505.

(3) *Thomas*, also, evidently continues in trade, for in the year of his father's death we find him being admitted to the Freedom "*per Patres*" (13 Hen. VII, 1498)<sup>2</sup> and there listed as gent. and mercat. *fil Ric. York militis et mercatoris*. He would require such Admission to engage in trade within the City.

(4) *William* also took his admission as a Freeman of York (A.D. 1508) some ten years later than his brother Thomas.

(5) *John*. A note in the *Test. Ebor*.<sup>3</sup> states boldly : "From him in lineal descent comes the present family of York of Bewerley"—(written *temp.* 1868). (See as to this the modern chamfer inscription on the tomb, printed *ante* p. 217).

Bewerley is in the Nidd Valley close to Pateley Bridge. Dr. Whitaker in his *History of Craven* prints a Pedigree of York (or Yorke),<sup>4</sup> but these genealogical matters are relegated to Part II when the Heraldic Shields will be under examination.

<sup>1</sup> *C.P.R., temp. Hen. VII*, vol. ii, p. 447.

<sup>2</sup> *Surtees Trans.*, vol. 96, 1896. Vol. i (*York Freemen*), p. 222.

<sup>3</sup> Vol. iv, p. 135.

<sup>4</sup> *Vide History of Craven*, 2nd ed. (1812), p. 438.

*Daughters.*

Singularly enough the Will contains no allusion whatsoever to any *daughters* of old Sir Richard and yet in the memorial window, and opposite the panel of male figures (? sons), is a panel of similar design portraying four kneeling figures (female) who surely must be the daughters?

Perhaps the hand of each of them had been safely "bestowed"—with a dowry—in the father's lifetime?

*Sisters.*

On the other hand two *sisters* of Sir Richard are named, for in a short sentence the Testator says:—"Johannae York soroni meae at Elis York soroni meae, si fuerit modo superstes xls (each)."

Parting company with his immediate family, these personal Memoirs will be concluded by noticing one or two of his friends. The Testator's mind is obviously running on his "lares and penates" as he dictates his final Codicil. He declares: "I wyll that my cosyn Guy Foster have the pece that was my cosyn's his fader." A useful footnote to the Will in *Test. Ebor.* (vol. iv) says that this Guy Foster was of Howsham and a son of one Robert Foster who, by his Will (1483), had appointed Ricardus de York as an Executor. Perhaps therefore this "piece"—given back to Guy—had itself been a gift to Ricardus by Guy's father? These records indicate a close friendship between the two families: moreover, when we come to examine the Ancient Glass we shall at once see the "3 stringed bugles—sable" which denote the Foster Arms.

Proceeding with Sir Richard's final directions:—

"My Lady of Clementhorpe<sup>1</sup> is to have that 2 gaffe her in the byll." He remembers his Parish Church and gives to St. John's: "6s. 8d. to found a Mass of our Lady there." He thinks of some "furryd gownes," making gifts of such to *Robert Person*; *Agnes Barker*; and (his son) *William*. Lastly his mind turns to the very dim past and his ancestors of Berwick-upon-'Twete—he directs that some "memor": must be made! But this is the third separate testamentary document since Monday the 8th!: it must be finished: his friend Master Bryan Palmes<sup>2</sup> is come—who better to have charge of the formalities? Is he not Recorder of the City and a man not lightly to be challenged upon his own proceedings?

Soon all is rightly done—Palmes reading over the Codicil and pressing Sir Richard to say: "Sum compos mentis et sanae memoriae."

So we leave Sir Richard—his affairs set in order—foreseeing his last end—to pass away (a few days later—April, A.D. 1498.

(*End of Part I*).

<sup>1</sup> Clementhorpe is still the name of a district at the end of Nunnery Lane, York.

<sup>2</sup> Bryan Palmes (*vide* Codicil) was then Recorder, *vide* Widdrington's MSS. (*circa* 1660) transcribed and edited by Caine, 1897.



## DESCRIPTION OF COTTINGHAM CHURCH E. YORKS.

*written for the visit of the Yorkshire Archaeological Society  
May 30th, 1947.*

By RICHARD H. WHITEING, F.S.A.

This church which was visited by the Society for the first time on May 30th is a particularly interesting cruciform church, and has been very little studied or described. It ranks in size, and importance in the East Riding after the churches of Beverley, Hull, Hedon, Patrington and Howden. and it is somewhat curious that its history has been so neglected.

The history of the Manor of Cottingham is important; it is stated in Domesday Book as the land of Hugh the son of Baldric, and in Hessle Hundred, "There were sixteen carucates of land, this is land to eight ploughs. Hugh now has these 4 ploughs and twenty villeins, and three bordars having seven ploughs, and a mill of eight shillings. The whole manor is four miles long, and there are five fisheries value in King Edward's time 4 pounds, now seven pounds." This last valuation is somewhat curious as after the wasting of the North, it is unusual to find nearly a double value of a manor in Yorkshire.

In the reign of King John the manor was in the possession of William d'Estoutville who inherited from his ancestor Robert d'Estoutville, who was Sheriff of Yorkshire, 21 Henry II. He obtained a charter for a market in the village. The Estoutvilles had a castle at Kirby Moorside in the North Riding. His Great-granddaughter and eventual heiress married into the important North Country family of Wake and by her the Manor of Cottingham was transferred to her son Baldwin de Wake. The Wake family were originally seated at Bourne in Lincolnshire, and many of them were buried in the Austin Priory there. The transfer of the Manor was confirmed by Edward I by Royal Letters patent to his son John de Wake and in the same year 1299 he spent Christmas at Cottingham from whence he granted to the inhabitants of Wyke-on-Hull, their first charter of Liberties by which the town was constituted a free borough, and known as Kingston-upon-Hull.

His son Thomas, Lord Wake of Liddall who married Blanche of Lancaster, the grandchild of Henry III and who was a prominent man in the reign of Edward II and Edward III obtained in 1319 a charter of confirmation to hold a weekly market, and two fairs at Cottingham, and a patent to convert his Manor House

into a castle of defence, under the name of Baynards Castle (the site of which is at the west end of the village on the Beverley Road). In 1325 he founded a chantry of B.V. Mary in the church.

In 1320 he founded a priory of Austin Canons at Haltemprice to the south-west of the village which he peopled with Canons from Bourne Priory (VIII East Riding Antiquarian Transactions, 13, 14).

On the death of Thomas, Lord Wake in 1349, without issue, his sister Margaret who married Edmond of Woodstock, Earl of Kent, son of Edward I inherited the property and whose daughter Joan Plantaganet, known as the Fair Maid of Kent, married Thomas de Holland, Earl of Kent, and secondly Edward the Black Prince. The manor came into possession of the Hollands at her death and on the death of the fourth Earl of Kent in 1408, with male issue, it was divided amongst three heiresses, and has since been known as Cottingham Westmorland, Cottingham Richmond and Cottingham Powis.

#### DESCRIPTION OF THE CHURCH.

There are no remains of any earlier church in the present structure than mid-14th century. This portion consists of the present nave and aisles of five bays, with a porch on the south side. There is no clerestorey. This work can be dated at c. 1330, and is more or less contemporary with the nave of Howden. The tracery of the "curvilinear" windows to the aisles are of similar design, with the exception of the two small windows over the north and south doors. The west window is illustrated in Sharp's "Decorated Window Tracery."

On the right-hand side of the west door is a small niche, too small for a figure but which probably held a lamp.

The Transept is possibly slightly later, but the north and south fronts have been reconstructed in the 15th century.

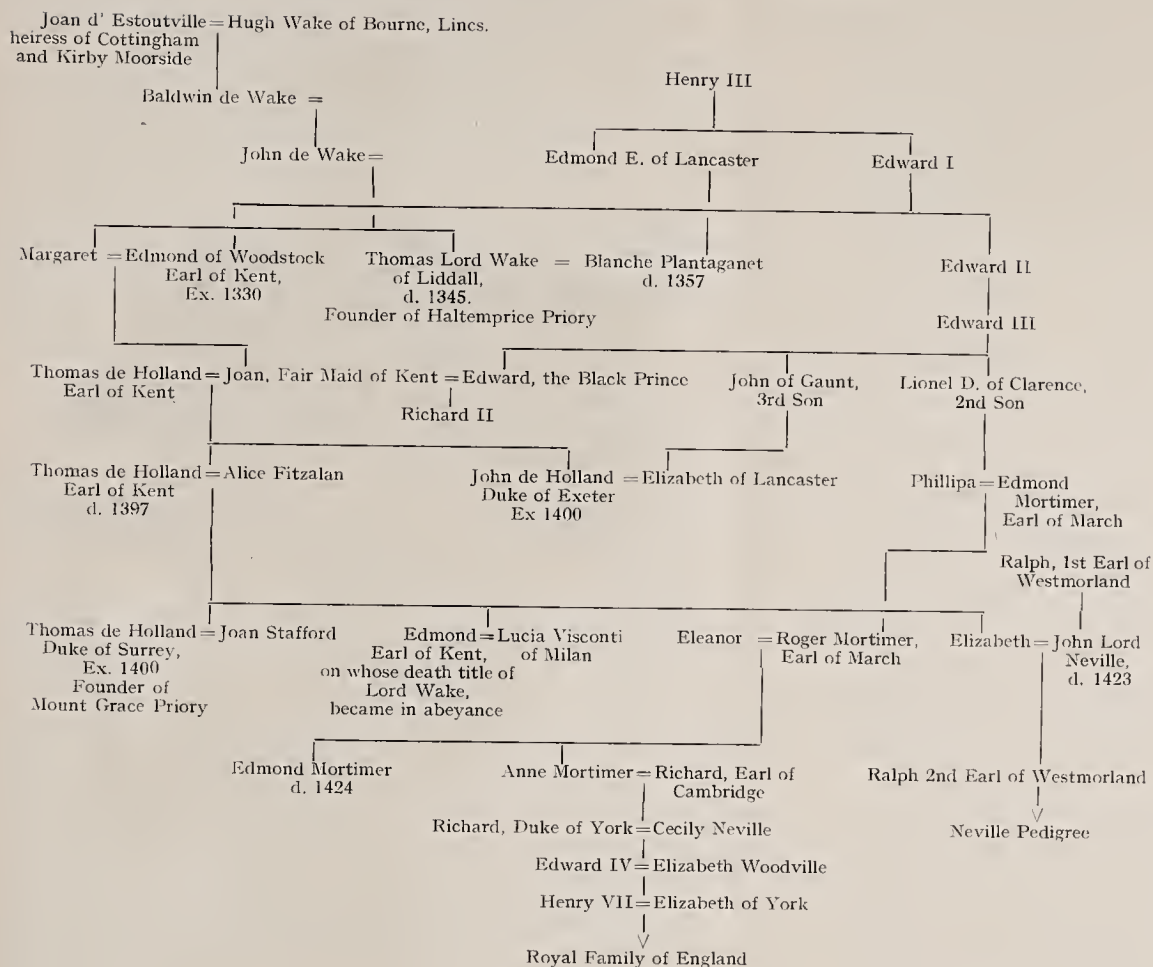
The fine aisleless chancel of four bays, was apparently built by a rich pluralist Rector, Nicholas de Luda, who died in 1383, Luda as well as being Rector of Cottingham, was a Prebendary of both Beverley and Salisbury. He was collated to the Prebendal Stall of St. Katherine in Beverley Minster on July 23rd, 1355, and was instituted to the Rectory of Cottingham on the presentation of Edward the Black Prince, 16th May, 1361.

The chancel is built of fine ashlar Tadcaster stone, with four three-light windows on either side, those on the south side having a somewhat more elaborate tracery than those on the north. and a large east window of seven lights. At the time of Dodsworth, they must have had a fine display of Heraldic glass, including the arms of Nicholas de Luda, Woodstock, Edward the Black Prince and his wife in the east window as well as the arms of the Great Barons of England at the time of Edward III in the side windows. (See *Y.A.J.*, vol. xxvi, Part 102, *Ancient Heraldry in the Deanery of Harthill*).

The style of the chancel is very much of a local type and can be compared with that of Skirlaugh Chapel, built by Walter de



# Pedigree showing the descent of the Manor of Cottingham.







Skirlaugh, Bishop of Durham in 1388, and with the work in the nave of Holy Trinity, Hull and the churches of Beverley.

In the chancel is a fine brass to the Builder Nicholas de Luda, very much restored in 1855 it shows him in his cope, the effigy measures 54 inches in length and the size of the whole composition is 8 feet by 3 feet 6 inches, and has the following marginal inscription :—

“HUIUS ERAT RECTOR DOMUS HIC NICOLAUS HUMATUS.  
FACTOR ET ERECTOR, DE LUDA QUAESO BEATUS,  
PORRO VIRES [VICES] CHRISTI GESTANS DEDIT ECCLESIARUM.  
PREBENDAS ISTI BEVERL[I]ACI, QUOQUE SARUM.  
FAMELICOS PAVIT, RIXANTES PACIFICAVIT.  
NUDOS ARMAVIT, FENERATAM NAM [REM] GEMINAVIT.  
SED QUIA LABE CARENS SUB CAELO NULLUS HABETUR.  
NATUM, VIRGO PARENS, ANIMAE PETE PROPICIETUR.”  
[from XII Y.A.J., 206].

Adjoining the chancel on the north side is a contemporary vestry. On the south side of the chancel, now fixed to the wall, are two small brasses to John Smith and his wife Joanna, showing a man in civilian dress of the period, and a Lady in kennel-shaped head dress, and close-fitting gown, with fur cuffs and edging, and the following black letter inscription below :—

ORATE P ANIM JOHIS SMYTH ET JOHANNE UXORIS EIUS QUI  
QUIDM̄ JOHES ABIIT VIIJ DIE MENSIS SEPTEMBRIS ANNO  
DNI MILLMO VCIHJ QUORUM AIABꝫ PPICIETUR DNS IHŪS AMEN.

By his will proved at York and dated 19th August, 1504, John Smyth desired his body to be buried in the church of the Blessed Lady of Cottingham.

It is curious that there are no sedilia or piscina in this chancel, nor are there any signs of any being here.

The fine central tower with two long windows on each face is 15th century and very much resembles the tower of North-allerton Church, with the exception of a prominent stair turret at the North-East Angle, which however does not go up to the full height of the tower.

Sometime after this in order to give the tower security, lower arches were inserted in the two east bays of the nave arcade, but the labels of the original arches remain above them. This was also done to the tower arches leading into the Transepts.

The ends of both the Transepts were re-constructed in the late 15th century, and large “perpendicular” windows inserted on both fronts of five lights each.

The living which prior to the Dissolution was in the gift of the Priory of Haltemprice has been since in the presentation of the Bishops of Chester.

In a list of East Riding Clergy, 1525-6 in the Public Record Office (State Papers 17 Henry VIII, Vol. IV, Part I, No. 2001), copied by the late J. M. Fallow, the following clergy were in Cottingham Church :—

Mr. Spgnell Rcor. Cottingham	value	LXLI marc.
Dns. Robtus. ffotert cap <sup>nus</sup> poch Cottingham		X marc.
Dns. Jacobus Sheffield cap <sup>nus</sup> ibm̄		VIJ marc.
Dns. Thomas Nell cap <sup>nus</sup> ibm̄		VIJ marc.
Dns. Joñnes Wilkinson cap <sup>ns</sup> ibm̄		VIJ marc.



## ROMAN YORKSHIRE.

Edited by DOROTHY GREENE.

### EAST RIDING.

Model Farm, Building Estate, Norton, Nr. Malton—*Pottery Kilns.*

Building operations commenced on this site at Easter, 1948. Sir E. N. Whitley kept a constant watch on the trenches dug by workmen or the mechanical excavator. He noted paved areas similar to those examined at Eastfield in 1947; collected a number of potsherds and two fourth century coins (Constantine II and Valentinian I, identified by Mr. W. V. Wade).

At the south end of a 3 ft. 6 ins. by 2 ft. deep trench dug by the excavator for a water main, a deposit of ashes, clay and sherds was observed, and later dug by Sir Edward and Mr. F. Ashman. This proved to be above Kiln 1 which by a stroke of good fortune was just below the level of the main and parallel to it. It was a pear shaped furnace of hard baked clay with soft red clay externally. It measured 4 ft. from north to south and 2 ft. 6 ins. the widest dimension. The flue was damaged at the south end but was 2 ft. long by 13 ins. wide by 13 ins. high; slightly curved sides, and a portion of the roof remained, of softer red clay. It was full of broken clay fragments, limestone boulders, ashes and sherds. Two almost complete pots were found. One was a loop handled jar similar to Crambeck type 3; and a beaker of unusual type. Both were of a hard grey ware. A baked clay object, probably a kiln support, was found in the centre of the furnace.

KILN 2. Whilst removing the earth from the west side of the water main (we were only allowed to go 4 ft. on this side) the wall forming the flue of Kiln 2 was discovered. This proved to be a flue of rough stone work 18 ins. high (8 to 10 courses) 3 ft. long, 15 ins. wide, leading to a clay lined furnace 3 ft. 10 ins. diameter at the top of the walls which curved down to a baked clay floor 3 ft. diameter. Like No. 1 it was lined on the outside with 4 ins. to 6 ins. of soft red clay. It was paralleled by those excavated in 1927 at Crambeck by Mr. P. Corder.<sup>1</sup>

The filling contained sherds, stones, lumps of clay, bones, and a complete skeleton lay in a crouched position on the broken north-west side of the furnace. This was probably a later burial, but no definite conclusions can be made at this stage, pending the report on the bones. Amongst the sherds was a carinated beaker.<sup>2</sup>

<sup>1</sup> *Roman Malton and District, Report 1.*

<sup>2</sup> *Langton, Fig. 12. No. 17.—Roman Malton and Dist., Rep. No. 4.*

Another skeleton was turned up by the excavator when the trench was first opened up, close to the flue of Kiln 3; and 20 ft. to the north a workman found a metal object which Dr. Richmond identified as a potter's spatula, and he showed how it exactly fitted the incised decorations in a fragment of pottery from Kiln 1.

KILN 3. On July 16, we resumed operations at the south end of Kiln 1 and again had the good fortune to dig exactly on top of the furnace of Kiln 3. A mass of clay and ashes mixed with stones and sherds filled the furnace, a very tightly packed mass which took some time to remove. In it were bones (probably animal) and no less than six clay supports. One was in position, fixed to the clay sides of the furnace. Many lumps of clay with impressions of thumbs or twigs were found. A most interesting feature of Kiln 3 was that calcite gritted ware was manufactured there. This was similar to the rough jars found at Knapton;<sup>1</sup> and the usual grey ware sherds turned up also.

The furnace was of baked clay internally with soft red clay 44 ins. dia. south-west—north-east or 40 ins. north-west—south-east. The floor had perished and only a layer of burnt red sand at the base of the walls remained. It was 2 ft. diameter. The flue running north-west—south-east was 15 ins. wide, walled with neat slabs of limestone (one 12 ins. x 10 ins.) but the end and north-east side was damaged by the water main trench which cut the end. What remained was 2 ft. 6 ins. long and had a 3 in. layer of black ash at the bottom.

Kilns 2 and 3 were only about 18 ins. below the present surface to the top of the furnace walls, but Kiln 1 was 3 ft. below the surface. The pottery from Nos. 1 and 2 was similar, and the lapse of time between the two may not have been great.

Photographs and plans were made, and a more detailed report will be sent when the mass of pottery is sorted and examined.

We are indebted to Sir E. N. Whitley for observations and help with excavations, to the Clerk of Works of the Norton Urban District Council, Mr. Conlin, the Contractor, and Mr. F. Ashman for help in excavation and loan of tools. Also Miss E. M. Walker and Mr. and Mrs. J. H. Ingram and Mr. Broadhurst, of Leeds University for help.

R. H. HAYNES.

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## WEST RIDING.

Bingley—*Roman Coins found on Bingley Moor, near Gilstead.*

A schoolboy playing on the Moor kicked up the turf and displaced two coins, which were submitted to Mr. W. V. Wade for identification. The coins were found on the Moor edge, at a height of 625 feet above Ordnance Datum, and lying between quarries and modern houses, but the actual site of the find had never

<sup>1</sup> Langton, Fig. 30. 1-6.—*Roman Malton and Dist.*, Rep. No. 4.



apparently been disturbed previously. The coins were lying some 3 ins. below the surface, practically on bed-rock, the soil here being very shallow. The area was searched but no further finds appeared. The Roman road through Morton is about two miles away. Mr. Wade's classification is as follows :—

No. 1. Herod Agrippa I. (37-44 A.D.)

*Obv.*—Umbrella with fringe; around, beginning on R., inscriptions, border of dots. ΒΑΣΙΛΕΩΣ ΑΓΡΙΠΑ

*Rev.*—Three ears of barley, issuing from between two leaves; across field, date, border of dots. L S (=year 6, i.e., 42-3 A.D.).

*Ref.*—Brit. Museum Cat. of Greek Coins—Palestine—Herod Agrippa I, no. 7, Pl. xxvi, 2.

No. 2—Constantine II. (337-341 A.D.)

*Obv.*—CONSTANTINVS IVN NOB C. Bust to R. laureate and cuirassed. *Rev.*—GLORIA EXERCITVS. Two soldiers holding spears and leaning on shield, between two standards.

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—  
S MANS (Mint of Antioch)

(Cohen "Medaillee Imperiales" 2nd Edition. Constantine II, No. 122.)

E. E. DODD.

Collingham.—"*Dalton Parlours*" Roman Villa.

Mr. R. H. Hayes reports the finding of coins Postumus, Constantine I, Constantine II, and Julian II, on this site. These are now in the possession of the farmer at Compton.

Dalton Lane, east of the site of the villa is locally supposed to be a Roman road running from Bramham Park towards Boston Spa. (Finds were reported on this site as early as 1806 and in 1854 remains of the villa were laid bare by Dr. W. Proctor. Most of the finds are in York Museum. Report in Yorks. Phil. Soc. 1854. Ed.). Darfield.—*Hoard of Coins*.

At Darfield, on the morning of 7th September, 1948, a hoard of 500 silver coins was found on a new housing site, to be known as Clarney Place. The find was made at a point 167 yards from the main Doncaster-Barnsley Road by Alan Benjamin Nicholls, one of a number of workmen employed in laying a water main for the Dearne Valley Water Board.

The coins and the pot (much broken) were first seen in a heap on the bottom of the trench but inspection made it clear that the hoard had fallen from the side of the trench where its former position was visible, about two feet below the natural surface of the ground. It had been lying in the soil with no indication or protection. The coins were handed to the Police and lodged at the West Riding Police Headquarters in Barnsley. On the 16th September, an inquest was held at the Darfield Council Offices by the Coroner (Mr. C. J. Haworth) and Mr. J. W. Baggaley,

Director of the City Museum, Sheffield, stated that the coins were Roman denarii and that in a brief examination of only part of the hoard he found 19 different personages represented, covering a period from 54 A.D. to 217 A.D. The range would no doubt be extended at both ends when all the coins could be examined after cleaning. The Rev. Professor C. E. Whiting was present at the inquest and said that he agreed with Mr. Baggaley's statement. The find is especially interesting as it follows the discovery as recently as 10th January, 1947, of a similar hoard of denarii in North Street, only 400 yards away, already recorded in the Yorkshire Archaeological Journal, Vol. xxxvii, Part 145, p. 117. Doncaster.—*Querns.*

Mr. S. A. Smith recently reported having seen the upper stone of a quern in a field on Ellers Carr, on the southern outskirts of Doncaster. This was retrieved, together with another found nearby, and both are now in the Doncaster Museum. It is intended to treat the subject of local querns in more detail in the near future, but it may be of interest to note that both were of the "bee-hive" type which would appear to be of Iron Age origin persisting into Roman times, and differing in no material particulars from the Hunsbury type described by Curwen in *Antiquity*, 1941, XV, pp. 16 *et seq.* The larger stone was two handled, but as the margin of one hole near the lower edge of the stone had broken away, it might be suggested that the other aperture was a secondary boring. This appears, however, to be unlikely, as it is directly opposite the first socket, and if handles are fitted and these are aligned horizontally, the stone is given what is presumably its original tilt to allow the flour to exude from the grinding surfaces. The feed-pipe, which also serves as a socket for the spindle by which the upper stone was centred on the lower, contains the remains of an iron sleeve, indicating that the spindle would also be of this material.

The second quern has only one handle-socket, and its comparatively wide feed-pipe is not fitted with a sleeve, nor does it bear any traces of iron staining. It is probable that the spindle in this implement was of wood.

Both stones bear a vaguely discernible octagonal indentation round the end of the feed-pipe, possibly a device to allow the grain to pass more freely to the grinding surfaces. As Curwen points out, the absence of a rynd or bridge in this type of quern is a serious defect, by comparison with the more southerly types.

A third upper stone, found at Cat Hill crossroads, Darfield, during opencast mining operations recently, was presented by Mr. Joseph Upton. Workmen saw what is believed to have been the lower stone, but unfortunately did not realize the significance of it and took no steps to preserve it. This specimen had a single handle. All three were slightly concave on the lower surface.

#### *Coins.*

Isolated Roman coins are not infrequently found locally, and it seems superfluous to give details of each find, although



later it is proposed to publish a full list. Coins of Carausius have, however, been poorly represented whilst earlier and later issues turn up regularly. An antoninianus of Carausius was found in Church Street during 1948, and presented to the Doncaster Museum by Mr. F. J. Arbon.

*Obv.*—IMP CARAUSIUS. P.F. AUG. Radiate (draped and ?) cuirassed bust. *Rev.*—MONETA AUG. Moneta walking R. holding scales and cornucopiae. Mattingly and Sydenham 855.

Another antoninianus of Carausius was found during 1945 by Mr. F. W. Sharpe, of Skellow, at the Warren, Gilling East, in the farm garden at more than spade depth.

*Obv.*—IMP. C. CARAUSIUS P. F. AUG. Radiate. draped bust. *Rev.*—PAX AUG. Pax standing r. holding olive branch and transverse sceptre.

The coin bears the London mint mark "ML" in the exergue, but the sign Γ in the right field, which is not recorded by Webb (Mattingly and Sydenham, vol. V, Part 11, No. 118).

An illustration of the stratification of deposits occurring on sites with a long occupational history is given by a denarius of Septimius Severus (Mattingly and Sydenham, No. 308).

*Obv.*—SEVERUS PIUS AUG. Head laureate, r. *Rev.*—VOTA SUSCEPTA XX. Severus, veiled, standing l., sacrificing out of patera over altar.

This coin was actually found some 12 years ago, although only recently presented to the Museum. It was lying with a flint dagger of Early Bronze Age date (described elsewhere in this volume) and two skeletons, apparently belonging to a Beaker burial. The coin had evidently dropped from a higher level. The site was that of the burial ground of the Carmelite Priory, and transversing it was one of the tunnels which lie everywhere under this area of Doncaster, and which have been the cause of much speculation. They probably form part of a drainage system, but are certainly not Roman, as has been suggested. They cut through, and are later than, the Bar Dyke, which existed until the 18th century.

NORMAN SMEDLEY.

Rotherham.—*Settlement on Brinsworth Common.*

In April, 1947, Rotherham Corporation commenced operations for the erection of 100 pre-fabricated houses for miners on a site situated on the north of the Tinsley Bawtry Road (A631) and three quarters of a mile south of the Roman Fort at Templebrough.

The site lies on the west of the Bradmarsh, and of the ancient crossing of the Rother known to-day as Canklow Bridge. The 18th century bridge still spans the river but is superseded for traffic by the new Canklow Bridge erected in 1927.

It was known that a Roman road leading from the Fort at Templebrough crossed the site, which was known aforetime as Brinsworth Common, and in or about 1870 the late J. D. Leader, F.S.A., of Sheffield, writing on Roman Rotherham alludes to this

“paved road,” which, he says, was no longer visible or available, owing to the enclosure of the Common.<sup>1</sup>

A turnpike road also crossed the Common. This was built in 1752 and carried the traffic directly on to the old Canklow Bridge. This road was unearthed by Mr. Wakelin and myself in 1947 when we made the first search for the Roman road. We located the Roman road just before we closed our investigations.<sup>2</sup>

And there the matter rested until April 1948, when building started on what was apparently a virgin site. Thanks to the courtesy of the Borough Engineer, Mr. E. J. Manson, A.M.I.C.E., and of the Contractors, Henry Boot & Co.; Mr. T. Salvin, former Deputy Borough Engineer of Rotherham, and myself were granted access to the site to watch for the appearance of the Roman road. We were ably assisted by Mr. T. Walker, whose local knowledge was invaluable, and also by Mr. P. and Mr. B. Smedley who helped in measuring and recording.

One feels that one must explain that this was in no sense an archaeological excavation. The men were not digging to find Roman roads, or in any way trained to note “finds,” but they did prove most helpful and invariably laid on one side anything they felt important, also they noted signs of walls and roads and tried to help in every way.

The site was “scraped” mechanically to a depth of six inches and the soil dumped. The shallow foundations of this type of house are not very helpful but the drain trenches, which of necessity were rather deep, owing to the fall of the ground on the east, gave us ample evidence of occupation.

At first we found patches of road material in various places and these when plotted, as they were daily, on a 1/500th plan of the estate gave us a rather confused picture, but the discovery of 120 feet of road, complete with kerbs, in the foundations of nos. 22 to 26, Roman Crescent (east side) was a definite help, and the almost simultaneous appearance of 180 feet of road on the west of the site—in the rear of nos. 2 to 14, Roman Crescent seemed to give us a more reasonable layout. Later finds of stretches of roads and ruins of walls under and adjacent to houses in Fortway, Brinsford Road, and Gotham Road finally gave us a rough idea of the layout of a settlement erected on the “grid” plan.

One thing emerged—the largest and most important buildings were on the east side of the estate. One wall was built of well-worked stones, and the courtesy of the Contractor enabled us to take measurements and make a drawing of this.

Pottery finds are disappointing, largely because of the method of digging and the utter impossibility of being always on the site, but pottery of the second and third centuries has already appeared, and will be dealt with later.

The roads are usually 16 to 18 feet in width, and appeared at a depth of about 15 to 18 ins. below the ground surface. The

<sup>1</sup> Guest. *Historic Notices of Rotherham* p. 604

<sup>2</sup> *Transactions of the Hunter Arch. Soc.*, vol. VI. pl. 4.



method of construction seemed to have been to lay the pitching upon the rock (Rotherham Red Sandstone) which here rises near the surface. The stones are laid on edge, and confined by kerbs or large stones approximately 1 ft. 10 ins. x 10 ins. x 7 ins. The pitching is usually about 15 ins. deep, and was sometimes surfaced with gravel to a thickness of 5 ins.

Work is still proceeding on the site and so a full account of this hitherto unsuspected settlement must await the completion of the building operations.

DOROTHY GREENE.

Tankersley, near Barnsley.—*Coins.*

The Rev. the Canon A. W. Douglas of Sherborne, formerly Rector of Tankersley, sends the following interesting account of two Roman coins, one found in 1881, the other in 1928. Canon Douglas sent the coins to the British Museum to be identified and has now presented them to the City Museum, Sheffield.

COIN No. 1. Found 1881 and given to the Canon by Mr. Joshua Rawlin, Churchwarden. It was found during excavations for the enlargement of an aisle in the Church.

Victorinus (268-270 A.D.) Bronze.

*Obv.*—IMP VICTORINVS P F AVG. Head wearing radiate crown. *Rev.*—Peace standing l, holding olive branch.

COIN No. 2. Found July, 1928, during grave digging, handed to the Canon by Mr. W. E. Robinson, Sexton, Church Stile Cottage. Very much worn and practically illegible. The British Museum suggest it is a coin of Tetricus (270-72 A.D.).

Upton, Nr. Pontefract.—*Coins.*

Mr. C. J. Baines reports the discovery of an antoninianus of Claudius Gothicus (268-70 A.D.).

*Obv.*—IMP C CLAVDIVS AVG. Radiate head, cuirassed bust to R. *Rev.*—GENIVS A . . . Genius standing l. by altar, holding patera and cornucopiae. Mint of Rome. (Mattingly and Sydenham 45. Cohen 110).

The coin is in fair condition, but no trace of silvering remains. It was found in June, 1947, in the garden of a house in Harewood Avenue, Upton, and was presented to Mr. Baines by Mr. R. C. Hartley of Thorpe Audlin. Mr. Baines continues “. . . as further building is taking place where the hoard was found in 1937, I am hoping that there may be further finds.” The hoard found in 1937 was published in the *Yorkshire Archaeological Journal*, vol. xxxv, part 40, p. 427.

## Obituary

THE REV. HENRY LAWRENCE, M.A., died *December*, 1947.

Henry Lawrence was born at Alnmouth in 1873, and was the son of Major Lawrence of Tadcaster, by his wife Emily Norcliffe Norcliffe, daughter of Rosamund (Best), wife of Henry Robinson of York, who took the name of Norcliffe on succeeding to the Langton Estates, on the death of her uncle General Norcliffe in 1862. His uncle The Rev. Charles Best Norcliffe, who inherited Langton on the death of his mother, was an eminent Antiquary, and edited "Pavors Marriage Licences" for this Journal, and Henry Best's "Book on Farming" for the Surtees Society.

Lawrence was educated at Richmond School, Yorkshire, and was afterwards instrumental in founding the Old Boys' Association there. He took his degree at Queen's College, Oxford, and was ordained at Ripon in 1900. His first curacy was at St. Andrew's, Bradford, and after four years there he became Vicar of Holy Trinity, Dinting, Glossop, where he remained for 25 years, he was also Rural Dean of Glossop.

In 1929 he was appointed Vicar of Boynton with Carnaby, and remained there until his retirement in 1944 after which he lived in Bridlington, but continued to give assistance in Church work at Carnaby, Boynton and Holy Trinity, Bridlington.

His membership of the Yorkshire Archaeological Society extended over 40 years, and for 25 years he had been a member of the Council, being a very regular attender at their meetings. He frequently acted as guide on the Society's excursions where his knowledge of Heraldry and Genealogy greatly added to the interest of the occasion. Lawrence's thoroughness in the study of these subjects was extraordinary, and he claimed to have visited every monument of a military character in England and Wales up to 1350, and had also photographed and drawn most of them. The number of these monuments is about 480. This interest was to some extent hereditary, for apart from his uncle the Rev. C. B. Norcliffe, his grandmother Mrs. Norcliffe was a Genealogist, as was his great aunt Ann Wilson of Leeds, wife of Colonel Norcliffe of Langton as well as many other members of the family. His ancestor Henry Best of Elmswell, a well-known East Riding landowner in the 17th century, was the first man in the district to go in for scientific farming and wrote "Best's Book on Farming."

He was for many years a member of the Derbyshire Archaeological Society, and Editor of their Journal to which he was a frequent contributor. Together with the late Rev. C. V. Collin he wrote a series of Articles for this Journal on the Ancient Heraldry in the various Deaneries of the North and East Ridings of



Yorkshire, also the Pocklington School Admission Register 1626-1717, and did valuable work in preparing an analytical Index to the first 30 volumes of this Journal.

For the East Riding Antiquarian Society's Transactions he wrote articles on East Riding Portraits with Biographical notes which appeared in three parts in 1902-03-04 and are a particularly valuable record now that many of these portraits have been dispersed.

He has left behind him some unpublished works—one a Treatise on the Heraldry of Pre-Black Death Effigies, which it is hoped to publish shortly, and secondly his major life's work—a book on Mediaeval Military Effigies, which one would hope it will be possible to publish ; it is profusely illustrated with photographs by the late T. E. Routh of Castle Donnington.

He was a member of the Archbishops' Diocesan Advisory Committee for the granting of faculties in Churches and the Local History Committee of University College, Hull.

On taking up his residence at Boynton he entered wholeheartedly into public life. He was elected a member of the Bridlington Rural District Council in 1934, and was for most of the time Chairman of the Housing Committee and later became Vice-Chairman of the Council. He became a member of the Rotary Club in 1932 and was President for three years, from 1939-42.

He was a member of the Bridlington Augustinian Society in 1930, and was Prior from 1934-38, and Honorary Curator of the Bank Gale Museum from 1936 till his death.

He was a member of the Yorkshire Tykes' Club to which he was elected in 1935.

Lawrance was a man of all these wide interests and also a collector of Antiques, and had a valuable collection of Old Furniture, Clocks and Watches as well as a fine Library of Archaeological and Antiquarian works. He was always willing to help others, and with his knowledge he was in demand for lectures, on his particular subjects. His presence will be very much missed at our Council Meetings, when he had always something of interest to say, and often piquant but kindly remarks to make.

Finally he was an exemplary Parish Priest, and at Boynton, where I knew him the best, his care of the beautiful little Georgian Church, with its fine series of Strickland monuments was a joy to see.

He and his wife, whose death in 1945, was a great loss to him, were assiduous in their duties to the two rural parishes and their inhabitants. He leaves two sons and four daughters to mourn his loss.

#### LIST OF PUBLISHED WORKS.

For the Yorkshire Archaeological Society Journal :—

*Pocklington School Admission Register, 1626-1717. Vol. 1. 25 p. 53.*

*Monumental Brasses in the East Riding of Yorkshire, Vol. 27, p. 250.*

*Analytical Index of the first 30 volumes of the Journal.*  
with the Rev. C. V. Collin, M.A., F.S.A.

*Ancient Heraldry in the Various Deaneries of the North and East Ridings of Yorkshire.*

For the East Riding Antiquarian Society's Transactions.

*East Riding Portraits. Portraits at Langton Hall, with Biographical notes, 1904.*

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For the Derbyshire Archaeological Society.

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*The Arms of Gentlemen of Derbyshire, (2) 1913.*

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*Alabaster Carvings, 1926.*

*Will of Lionel Tylney, 1653, 1931.*

with T. E. Routh.

*Medieval Military Effigies in Derbyshire, (1), 1924.*

*Medieval Military Effigies in Derbyshire, (2), 1925.*

*Medieval Military Effigies in Derbyshire, (3), 1926.*

*Medieval Military Effigies in Derbyshire, (4), 1927.*

RICHARD H. WHITEING.

## Obituary

Col. C. H. MILBURN, M.B., M.S., O.B.E., D.L., J.P.

On 27th October, 1948 occurred the death at the age of 88 of Col. C. H. Milburn, an old member of the Yorkshire Archaeological Society, and a well-known figure in public life, latterly, in Harrogate.

A Bachelor of Medicine, and Master in Surgery of Durham University, Charles Henry Milburn spent most of his working life in three places in the North, Durham, Hull and Harrogate. His first appointment was that of resident house surgeon at the Durham County Hospital in 1882. Four years later he moved to



general practice in Hull where he gave also much valuable service to local hospitals as honorary surgeon. As a member of the Central Council of the B.M.A., he was concerned in the 1899 measures for Army Medical Reform and was the only surviving member of the deputation which met the Minister of War (Lord Lansdowne) and obtained Army rank for medical officers.

Attracted to the Services from early life, Col. Milburn had a long and distinguished record of service from 1878-1918, first with the Volunteers and later with the Territorials. In 1908 he was Lt.-Col. commanding the 2nd Northumbrian Brigade, Royal Field Artillery. In the first world war, on the personal invitation of Sir Frederick Treves, he went as surgeon-in-charge of surgical wards at No. 2 British Red Cross Hospital for Officers, Rouen. In 1918, he was appointed Deputy Commissioner of Medical Services in the Ministry of National Service, and later in the Ministry of Pensions. From 1920-5 he went to the Ministry of Health as the first Divisional Medical Officer, of North Eastern division.

In his time he received many honours. Those included presentation by King Edward VII of the medal for conspicuous service of the Order of St. John (in 1903 the Volunteers' long service medal), in 1919 the Order of the British Empire (military division). In 1914 he was appointed a J.P. for Kingston-upon-Hull, and a year later Deputy Lieutenant of the East Riding. He was a life Governor of Epsom College, and a Vice-President of the Kipling Society.

He took a great interest in boys. He was Chairman of the Harrogate Boy Scouts' Association and a member of the Yorkshire Scouts' Council and of the Committee of the Harrogate Sea Cadet Corps, and he it was who organised 'Empire Sunday' at both Hull and Harrogate. His interests in Harrogate were wide; of many committees of social and cultural bodies he was a valued member.

Things antiquarian held for him great attraction, and besides his connection with the Yorkshire Archaeological Society, he was a member of the Harrogate Group, the Knaresborough Castle Excavation Committee, and the Roman Antiquities Committee. A member of the Tykes' Club, at the time when its activities were suspended in 1939 on the outbreak of war, he held the office of Arch-Tyke. He lived a full and good life, and his passing will be mourned by many. Col. Milburn was a widower, his wife dying in 1939. He leaves a daughter Miss Gwynnaeth Milburn, J.P.

## REVIEWS.

*Early Yorkshire Charters.* The Honour of Skipton, By C. T. Clay, C.B., F.S.A.

It is very much regretted that a review of Mr. C. T. Clay's "Early Yorkshire Charters: The Honour of Skipton, Y.R.S." has to be deferred to the next number of the Journal.

*Rombalds Way.* By E. T. Cowling. Wm. Walker & Sons, Otley 15s. 0d.

In recent years, prehistory research in Yorkshire has been conducted on a scale incompatible with the problems that exist. The untiring efforts of a handful of workers, undeterred by the apparent apathy, have, however, done much to alleviate the deficiency, and in this small fellowship Mr. Cowling, the author of this book, occupies an honourable place. The writer has confined himself to a survey of the mid-Wharfedale region during prehistoric times, and his intimate acquaintance with the area, extending over many years, ensures respectful attention to the results of his fieldwork.

The importance of the great east-west prehistoric route that utilized the easiest of the Pennine crossings by way of the Aire Gap, has long been recognised, and the dominant feature of the area under survey is indicated in the title of the book, that portion of the line that traverses Rombalds Moor, the main natural feature of mid-Wharfedale. Mr. Cowling adduces plentiful evidence for a flourishing Tardenoisian settlement, and in later times proximity of this trade route must have exercised a considerable influence on the settled areas adjacent to it. It was possibly the prosperity thus engendered that provided the conditions suitable for the development of a native culture, during early and middle Bronze Age times, responsible for the well-known cup-and-ring stone carvings of magico-religious significance, that are the region's outstanding archaeological feature. Mr. Cowling has already discussed these carvings elsewhere, but a re-statement of his views is nevertheless welcome.

The text is occasionally marred by loose writing : in a discussion of Neolithic B pottery, for instance (p. 33) we find : "Such pottery is usually found at low levels, and indicates that the Peterborough people were hunters and fishers rather than farmers." Mr. Cowling tends, moreover, to suggest the general acceptance of his own interpretations of much of the material discussed, which may deceive the unwary reader. Misprints are more frequent than desirable, and there is no excuse for the displacement of plates



III and IV, and XIX and XX, from their proper numerical order. The illustrations are, on the whole, adequate, but a comparison between, e.g. figs. 30 and 58, representing the same Death's Head carving, yet differing in detail, inevitably raises a doubt concerning the accuracy of the other examples figured.

Mr. Cowling is to be congratulated on producing this valuable regional study, and while he has been at pains to present his material in terms intelligible to the general reader, the book contains much that will prove of the greatest value to the student.

DUDLEY WATERMAN.

*Windmills in England.* By Rex Wailes. Architectural Press  
12s. 6d.

An excellent study of the origin and development of Windmills, followed by an easy explanation of all their mechanism has been produced by the leading authority on this subject.

The numerous clear and interesting illustrations show the various types and their local variations, together with some fine interior and detail photography, including the arresting picture of the sails of Tollerton Mill (Yorks.), on the dust cover.

Mr. Wailes has neglected Yorkshire's famous landmark at Skidby, near Hull (which is still working), in spite of the fact that he confines himself mainly to working examples and those which are well preserved.

R. A. H.

## SCHEDULED MONUMENTS.

LIST OF ANCIENT MONUMENTS IN THE EAST RIDING,  
APPROVED BY THE ANCIENT MONUMENTS BOARD, 13th NOV., 1947.

1. Moot Hill, Driffield.
2. Old Grammar School, Hull.
3. Leconfield Castle (Site), Beverley.
4. Haltemprice Priory (Site), Cottingham.
5. 160 High Street, Hull (Maister House).
6. Market Cross, Beverley.
7. Old Castle, Roos-in-Holderness (Sites).
8. Old Market Cross, Brandesburton.
9. Village Pinfold, Hunmanby.
10. Old Lighthouse, Flamborough.

R. H. WHITEING.

## TRANSACTIONS, Etc., OF YORKSHIRE SOCIETIES.

- Bronte Society Publications*, Vol. 11, pp. 3-13. *Charlotte Bronte and the world of 1846 : the annual address to the Bronte Society—1946*, by Barbara Ward.
- Bronte Society Publications*, Vol. 11, pp. 16-28. *Cowan Bridge : new light from old documents*, by Edith M. Weir.
- Bronte Society Publications*, Vol. 11, pp. 29-32. *Mrs. Bronte*, by C. Mabel Edgerley.
- Bronte Society Publications*, Vol. 11, pp. 73-80. *Three sisters : the annual address to the Bronte Society—1947*, by Sir William Haley.
- Bronte Society Publications*, Vol. 11, pp. 81-88. *Ups and downs of celebrity : a Bronte investigation*, by W. L. Andrews.
- Bronte Society Publications*, Vol. 11, pp. 89-96. *Contemporary reviews of the first Bronte novels*, by Edith M. Weir.
- Bronte Society Publications*, Vol. 11, pp. 97-100. *The Brontes' Study of French*, by Dorothy H. Cornish.
- Bronte Publications Society*, Vol. 11, pp. 139-151. *A novelist looks at the Bronte novels*, by Phyllis Bentley. *An address given at the Annual Meeting—1948*.
- Bronte Society Publications*, Vol. 11, pp. 157-163. *The Brontes of Haworth : a centenary address given in Haworth Church*.
- Bronte Society Publications*, Vol. 11, pp. 164-165. *A Charlotte Bronte sketch-book*, by Phyllis Bentley.
- Bronte Society Publications*, Vol. 11, pp. 166-175. *Was Emily Bronte a mystic?* by Mildred A. Dobson.
- York Georgian Society*, Report for year 1947-8. pp. 35-40. *The Georgian era : an address*, by A. E. Richardson.
- York Georgian Society*, pp. 41-46. *Sledmere Hall : an address*, by J. Stuart Syme—  
*Occasional paper number four illustrated.*  
*The history of York Musical Society and York Choral Society.*  
24pp. 1948.
- Yorkshire Dialect Society*, Transactions, Part 47, Vol. 7. pp. 27-38. *Dialectal English and the student*, by Harold Orton.
- Yorkshire Dialect Society*, pp. 39-43. *Poetry* (by D. Una Ratcliffe, Q. Nicholas, S. Umpleby, Ruth Hedger.)
- Yorkshire Geological Society*. Proceedings, Vol. 27. pp. 129-172. *The secret of the glacial drifts. Part II, Applications to Yorkshire*, by R. G. Carruthers.



- Yorkshire Geological Society*, pp. 173-216. *Evaporites : a symposium.*
- Yorkshire Geological Society*, pp. 217-227. *A contribution to the petrology of the Permian evaporite deposits of North Eastern England*, by K. C. Dunham.
- Thoresby Society*. Transactions, Vol. 12. pp. 103-113. *Leeds church patronage in the eighteenth century*, by Canon R. J. Wood.
- Thoresby Society*, pp. 114-117. *Oakwell Hall, Birstall. Inventory of goods, 1611*, transcribed and edited by Amy G. Foster.
- Thoresby Society*, pp. 118-196. *The population of Leeds during the Industrial Revolution*, by F. Beckwith.
- Thoresby Society*, pp. 197-212. *Conveyancing practice from local records*, by Amy G. Foster.
- Halifax Antiquarian Society*. Transactions, 1948.
- Alexanders of Halifax*, by R. Bretton. 30 pp.
- Halifax Gibbet Law*, by Edward Armitage, B.A. pp. 1-17.
- Brighouse Quaker Meeting*, by H. T. Clay, M.A. pp. 19-25.
- Early Inhabitants of Rastrick*, by H. T. Clay, M.A. pp. 27-37.

#### PAPERS ON YORKSHIRE SUBJECTS IN NON-YORKSHIRE TRANSACTIONS.

- Apollo*, Vol. 48, July, 1948. pp. 18-19. *What is Castleford pottery?* by L. M. Bickerton.
- Country Life*, Vol. 104, 1948. pp. 628-630. *Buckton Hall, Yorkshire*, by C. Hussey.
- Geography*, Vol. 32, 1947. pp. 113-131. *The South-Yorkshire coalfield*, by G. D. B. Gray.
- Royal Historical Society*. Transactions 4th Series, Vol. 29, 1947. pp. 69-91. *The Yorkshire Association and the crisis of 1779-80*, by H. Butterfield.
- Royal Historical Society*. Transactions 4th Series, Vol. 30, 1948. pp. 75-93. *The diplomacy of Dr. John Robinson at the Court of Charles XII of Sweden, 1697-1709*, by June Milne.
- The Trollopian*, Vol. 2. pp. 127-136. *The significance of Haworth*, by Phyllis Bentley.
- The Trollopian*, Vol. 2. pp. 137-156. *War in Gondal : Emily Bronte's last poem*, by Fannie E. Ratchford.
- The Trollopian*, Vol. 2. pp. 157-168. *The authorship of "Wuthering Heights,"* by Irene Cooper Willis.
- The Trollopian*, Vol. 2. pp. 169-176. *Little God-sister*, by Clara Lederer.
- The Trollopian*, Vol. 2. pp. 177-199 and 241-260. *A census of Bronte manuscripts in the United States*, by Mildred G. Christian.

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THE  
Dorsetshire Archaeological Journal.

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EDITORIAL NOTES.

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GEORGE LUMLEY OF NORTHALLERTON.

BORN 1678. HIS MARRIAGE AT 104.

Under the heading "An Astounding Marriage at Northallerton Parish Church, Yorks," Mr. L. H. Chambers has given us in *Notes and Queries* (Oxford University Press) of 22nd January, 1949, a record of the entry of the marriage in question on 25th August, 1782, from the Parish Register. He writes as follows:—

"George Lumley of Northallerton was married at the exceeding ripe age of 104 years to Mary Dunning, of the same parish, a maiden of 19 summers. The officiating minister was the Rev. Jas. Wilkinson, curate, and the witnesses of the ceremony Thomas Robinson and W. M. Gibson. The aged bridegroom affixed his mark to the register and the bride her signature in very tremulous handwriting."

He states further:—"Whether the couple continued to reside in the town cannot be ascertained, but, if they did, no entry of the patriarch's death and burial can be found in the parish register, so we may infer they left the town and died in some far off parish."

This marriage had, of course, long been known; for it was duly recorded in the *Gentleman's Magazine* of the time, though the youthful bride's Christian name was not there given and her maiden name was there spelt "Denning."

Seeing, however, that I have known some to think that "104" as the bridegroom's age, must have been a printer's error, it is pleasant indeed to find that the printer made no error.

I have throughout felt certain that he did not belong to the Northamptonshire Branch of the ancient Northern Family of Lumley; and, hence my exclusion of his marriage from my consecutive Records of the Lumleys, published in revised form from *Notes and Queries* as an independent monograph (The Campfield Press, St. Albans, Herts.) in 1948. The newly discovered entry of the marriage confirms that certainty.

*Four questions however remain*:—1. Who and what was he? 2. Was Yorkshire his actual county of origin? 3. Who were his parents? 4. When and where did he die?

Any assistance towards the answer to any of these four questions would, indeed, be welcome to

L. G. H. HORTON SMITH

4, Paper Buildings,

Temple, London, E.C.4.

12th July, 1949.

### A NOTCHED FLINT DAGGER FROM DONCASTER.

In November, 1947, the Doncaster Museum received a fine example of a notched flint dagger, presented by Master Roy Glover, whose father had found it during building operations some twelve years earlier.

The weapon is of a type still rather rare, for only about a dozen notched examples have been recorded. The Doncaster example is  $6\frac{3}{4}$ " in length,  $2\frac{3}{4}$ " across at the widest point, and the maximum thickness is  $\frac{1}{4}$ ". It is of a fine grey flint, with paler inclusions of chert, and, like the Demon's Dale specimen recorded by Armstrong,<sup>1</sup> it is semi-opaque, showing a brownish tinge when held up to the light. In size and technique, and in the position of the notches to facilitate hafting, it bears a strong resemblance to the Demon's Dale specimen. The notches, however, of which there are three pairs, have all been pressed out from one face of the weapon, and not from alternate faces, as in the Demon's Dale example. The blade and tang are distinguished only by the position of the notches, and there is no clearly marked differentiation, as in the specimen from Flixboro', Lincs.,<sup>2</sup> also described by Armstrong. A similar but somewhat smaller example with four pairs of notches, and with some degree of differentiation between blade and tang is figured by Mortimer<sup>3</sup> from Garton Slack, in the East Riding of Yorkshire. The Sheffield Museum possesses a smaller specimen from Nether Low, Chelmorton, Derbyshire,<sup>4</sup> in which the notching is carried almost the whole length of the tang.

The distribution of flint daggers, attributed to the Early Bronze Age by Smith,<sup>5</sup> and in particular to the AC Beaker complex by Clark,<sup>6</sup> has been considered in detail by Grimes,<sup>7</sup> who however makes no particular discrimination between notched

<sup>1</sup> *Ant. Journ.*, XIII (1933), p. 161.

<sup>2</sup> *Ibid.*, IX (1929), p. 36.

<sup>3</sup> *Forty Years' Researches in British and Saxon Burial Mounds of East Yorkshire*, pl. LXXIV., fig. 555.

<sup>4</sup> *Catalogue of Bateman Antiquities* (1899), p. 40; Bateman, *Ten Years' Diggings* (1861), pp. 51-52.

<sup>5</sup> *P.S.A.*, XXXII (1919-20), p. 6.

<sup>6</sup> *Antiquity*, V. (1931), p. 415, and *P.S.E.A.*, VI, pt. 4 (1931), p. 356.

<sup>7</sup> *P.S.E.A.*, VI, pt. 4 (1931), p. 340.





examples and those without such provision for hafting. A rough analysis seems to point to the fact that most of those so far discovered, belonging to the notched variety, come from Derbyshire, Yorkshire, or East Anglia. Side-notches also occurred in a lancehead from Calais Wold, E.R. Yorks.<sup>1</sup>

<sup>1</sup> Mortimer, *Forty Years' Researches*, etc., p. 165.

The Doncaster example was found whilst digging for a lift-shaft at the premises of Messrs. S. & H. Morris, Ltd., Wallpaper Merchants, 37/39, St. Sepulchre Gate, at a depth of about 12ft. below one of the subterranean tunnels with which this area of the town is honeycombed. By the evidence of others who were present, one of whom was a medical man, it would appear that two skeletons were also found, and a number of Roman coins, one of which, a denarius of Septimius Severus, was presented to the Museum with the dagger. The skeletons, on the finger of one of which there was reputedly a ring, were sealed up during the building of the lift-shaft.

The site is one of known historic associations. It is included in the burial ground of the Carmelite Priory; it lies close by the site of numerous finds of Roman relics (it is indeed, within a few yards of the spot where a Roman altar was found in 1781); nearby, also, a cinerary urn of the Middle Bronze Age was found in 1865. Early Bronze Age associations in the locality are also suggested by the recent find at the Crimpsall (Railway Works) of a perforated stone hammer-head of the narrow-butted pestle type.<sup>1</sup>

NORMAN SMEDLEY, M.A.

#### MERMAIDS CARVED ON MISERERES OR AS CRESTS IN HERALDRY.

The mermaid, a fabled marine creature having the form of a woman above the waist and that of a fish below, endowed with human attributes; who by their singing fascinated those who sailed by their island, and then destroyed them.

“Though we mermaydens clepe hem here  
In English, as is oure usaunce,  
Men clepen hem sereyus in France.”

*Romance of the Rose*, i, 684.

“Chantecler so free  
Sang merrier than the mermayde in the sea.”

Chaucer, *Nuns Priests' Tale*, i, 450.

“Next where the sirens dwell you plough the seas !  
Their song is death, and makes destruction please.”

Pope, *Odyssey*, xii, 51.

“Who would be  
A mermaid fair  
Singing alone  
Combing her hair  
Under the sea?”

Tennyson, *The Mermaid*.

<sup>1</sup> L. F. Chitty, *Y. A. J.*, xxxvii, 1949, pp. 128, *et seq.*



She is usually represented holding a mirror in her right hand and a comb in her left hand.

Mermaids are carved upon the Misereres in the following Cathedrals:—

RIPON. In the sixth stall on the south side the miserere carving represents a mermaid with mirror in her left hand; her right arm is new and the hand now holds a brush, but probably in the original it was a comb. [A.D. 1489-1494].

BRISTOL. In the Cathedral a miserere has a mermaid beset on either side by a rampant griffin carved upon it.

GLOUCESTER. The fourteenth miserere on the south side of the choir has a mermaid in water, holding in each hand a large fish. The figure well modelled and very graceful.

HEREFORD. The eleventh miserere of the lower range of stalls on the south side has a large mermaid nursing a lion.

NORWICH. A miserere on the north side of the choir has a mermaid with a lion, or some monster, biting her right breast; she is supported on each side by a dolphin having a small fish in his mouth the tail of which protrudes.

Amongst the misereres, now all lost, in the Church of St. Peter-per-Mountergate in the city of Norwich, Blomfield in his *History of Norfolk* (folio edition, vol. ii, p. 557) mentions no. 8, a merman<sup>1</sup> holding a mirror and comb; no. 9, two dolphins and a mermaid suckling a merboy.

EXETER. In the seventeenth stall on the south side the miserere carving has a mermaid and a merman holding between them what appears to be a tambourine, but may be a mirror. In the twenty-second miserere on the north side is a mermaid holding in her left hand a fish, her right hand now destroyed.

WESTMINSTER ABBEY. In Henry the Seventh's Chapel the eleventh miserere in the upper range on the north side has a mermaid on a rocky shore, with a very convex mirror in her left hand, and with her right hand combing her long hair.

ST. GEORGE'S CHAPEL, WINDSOR. The miserere of the nineteenth stall in the upper range on the south side of the choir has a mermaid accompanied by a nude figure compounded of man above, fish in the middle, and quadruped below; he holds a fish in his left hand.

The second miserere of the upper range on the north side has a mermaid holding a circular mirror and a comb; in the background is a castle displaying the banner of St. George. The nineteenth miserere in the same range has a mermaid holding a mirror in her right hand and a comb in her left hand.

LYONS CATHEDRAL, FRANCE. There is in the choir a miserere showing a mermaid crowned, suckling a mergirl, and a merman playing on a viol.

BOSTON CHURCH, LINCOLNSHIRE. The eighth miserere in the upper stall on the south side has two men in a boat, with hoods on their heads, astonished at the melody of a mermaid, who is close to the boat and is playing on a pipe.

GREAT MALVERN CHURCH. In the choir a miserere is carved with a mermaid holding a large comb in her right hand, and a merman holding up a circular mirror in his right hand.

STRATFORD-ON-AVON CHURCH. In one of the return stalls on the north side of the choir the miserere has a carving of a mermaid holding in her right hand a mirror, and in her left hand a large comb, also a merman holding in his right hand some small object now not to be identified.

DULVERTON CHURCH, SOMERSETSHIRE. There is a grotesque carving on the roof of this church representing a mermaid holding her fish-like tail in one hand and a fish in the other; on her sides are two fish, one in an ascending, the other in a descending position.

As touching the Mermaid of Heraldry, amongst the earliest examples of the mermaid as a charge in English Heraldry is the seal of Sir William Bruere, d. 1226, founder of the abbeys of Tor, Dunkeswell and Mottisfont.

The Mermaid is borne as a Crest by the families of Bonham, Byron, Ellis, Garnishe, Hastings, Kinlock, Lauzon, Mason Moore of Hampshire, Newman of Cheltenham (granted 1611), Portsmouth Earl of, Rutherford, Skeffington of Leicestershire, Warburton and others.

AS ARMS, by Lapp of Wiltshire, Ellis and Prestwich of Lancashire and Basford.

AS SUPPORTERS, by Viscounts Boyne and Hood, the Earl of Caledon, the families of Scott of Harden and Sinclair of Rosslyn. Two mermaids crowned support the arms of the Borough of Boston in Lincolnshire.

A Triton (merman) and a mermaid support the arms of Campbell of Ardkinlaw.

J. W. WALKER, O.B.E., F.R.C.S., F.S.A.

#### A NOTE ON ADMIRAL MEDLEY'S MONUMENT IN YORK MINSTER.

Mrs. Esdaile's excellent catalogue of 'Sculpture and Sculptors in Yorkshire,' which appeared in the pages of this journal some years ago, makes slight mention of Henry Cheere, the pupil and later partner of Peter Scheemaker.

By the kindness of Lady Waechter de Grimston, I have been allowed, recently, to read through some of the eighteenth century correspondence of her family, and a discovery which I



made, established beyond doubt, that Henry Cheere was responsible for the important monument to Admiral Medley, which, on stylistic grounds, was formerly attributed to William Tyler.

Henry Medley was born in the late seventeenth century, and in 1703 joined the Royal Navy, where he had a distinguished career, and in 1745, was appointed Vice-Admiral of the Blue and Commander-in-Chief of the Mediterranean. He died at Savona, two years later on the 5th August, 1747.

In his will, which is dated at Savona, three days before his death, he gave directions that 'My body is to be interred in the parish church of Belfrey's in the city of York', but it is not until the 10th December, that the register of that church records his burial.

Among the Grimston letters there is one which gives instructions for the funeral—

York. Novr. 23 1747

Sir,

On receipt of yours this afternoon, I immediately waited on Mr. Stables who thinks the Body should rest one night at Tadcaster, but not lay in state. Ld: Irwin and the mourners to meet at Tadcaster the next morning in time for the Funeral to be by daylight. The other Bearers will have notice to have their Scarves &c. delivered as they pass the Inn at Knavesmire to meet the Body, which pray let Capt. Storr know. Two mourning coaches I have engaged, the rest shall be ready, also the Grave where ordered. Wish you could send me the arms for fear we should mistake in the Escutshions for pulpit and reading Desks. Pray would you have a Screen put up round the Choir. Yours and the Admirals Servants must ride before the Hears. All due care shall be taken by

Sir Your most humble Servant,

GEO: REYNOLDSON (Punctuation inserted)

Although the Admiral was buried in St. Michael-le-Belfry, his monument was erected in the North Choir Aisle of the Minster. This memorial was erected, no doubt, by his cousin Thomas Grimston, to whom he left his newly purchased Estate at Kilnwick, near Driffild. The Grimston family had lived in the East Riding since the days of the Conquest, and several generations resided at Goodmanham until the Civil Wars. They also had property at Grimston Garth in Holderness.

Thomas Grimston's representative in London was the firm of Thompson & Seward, and it is in the correspondence of this firm, that the authorship of the monument is revealed. There is a slight reference to the 'Admiral's Monument' in a letter from London, dated 15th March 1747/8, but this gives no details. On the 10th of August 1749, Mr. S. Thompson writes to say 'Mr. Cheere called upon us yesterday for £100 or £120 which he said

you had given Mr. S. Thompson instructions to pay him, but as we are not acquainted there-with, we desired him to Call next Week when we might expect to receive orders from you.' After mentioning securities, the purchase of oats, etc., the writer continues 'We have paid Mr. Shard £3 for the Escutsheons Omitted in his Bill.' A fortnight later, on 31st August the same writer says 'We have paid Mr. H. Cheere £120 for which you will please to give us Credit.'

At the same time as Cheere was engaged on the Monument, he was also executing a series of busts for Kilnwick Hall, the house which had been left to Thomas Grimston. On the 20th of April 1749 is a reference to these :—

' . . . also Inclosed we send you a bill of Loading for four Boxes Containing Busts of Plaister of Paris . . . . . the amount of Mr. Cheere' Bill for the Busts is £9. 6. 0. 'These busts were despatched by sea to Hull on board the 'Good Intent' and would be taken by carrier to Kilnwick from Hull.

At the end of the year, when Messrs. Thompson & Seward rendered their accounts for payment, the following appear :—

1749	Thomas Grimston's account with Messrs. Thompson & Seward	£	s.	d.
April 25	To paid Cheere for 5 Busts &c. sent p. the Good Intent, Moody	9	6	0
Aug. 11	To paid Shard Undertaker for Escuteons at A Medley's funeral omitted in his bill	3	0	0
Sept. 4	To paid Henry Cheere for A. Medley's Monument	262	10	0

The monument consists of a bust of the Admiral against a shallow niche under swags of exquisitely carved shells, a fitting emblem for the memorial of a seaman. Below is a pile of trophies, and on either side are weeping cherubs bearing the symbols of Life and Death, the endless circle and the reversed torch. One cherub bears a family likeness to one of those on Cheere's monument to Captain de Suamarez in Westminster Abbey. Below the bust is a sarcophagus, the front of which forms a bas-relief tablet depicting one of the Admiral's sea fights. Once again there is a resemblance to that at the base of the Suamarez monument.

The *D.N.B.* contains a fairly long note on Henry Cheere, who had his workshop at Hyde Park corner, where he worked in marble, bronze, plaster and lead. As time went on, the works became more noted for the production of garden ornaments in the latter medium, but this however, should not be allowed to detract from his essential skill as an artist in the other materials. His leaden factory was the butt of the satirists of the day, and in Colman and Carrick's Comedy 'The Clandestine Marriage', Cheere is referred to as 'the man from Hyde Park Corner.'



His home appears to have been in Old Palace Yard, Westminster, and he occupied a prominent part in the parochial life of St. Margaret's.

On the accession of King George III, Cheere presented an address on behalf of the county, for which he received knighthood. In 1766 he was made a baronet. In 1750 he was elected F.S.A. and five years later was a member of a committee of artists who originated a scheme for the foundation of the Academy of Arts.

According to the *D.N.B.*, Cheere's pupil was Louis François Roubiliac, the Huguenot fugitive, who is represented in Yorkshire, by a charming little monument in Scarborough Parish Church.

Sir Henry Cheere died 15th January, 1771, at the age of 77 and was buried at Clapham.

M. EDWARD INGRAM, B.A.

## JOHN AISLABIE

(1670—1742)

*A Study in Augustan Politics and Hanoverian Finance.*

By KENNETH DARWIN, M.A.

John Aislabie has many admirers, for few visitors to Fountains Abbey fail to delight in the pleasure grounds which he made there. Those woods and lakes alone make him a notable Yorkshireman.

He is too a notorious Englishman: the interest aroused by the man who was Chancellor of the Exchequer during the South Sea Bubble is obvious. There is more to him than classical landscapes and political drama however, for in his economic ambitions, religious passions, political vagaries and social prejudices, he is very much an early eighteenth century gentleman.

The sole biographer of John Aislabie dismisses his political life with the following words:

“It is unnecessary to say more of his parliamentary career; or to detail those affairs of state which he so skilfully managed; or those political transactions in which he was so long engaged: for a relation of them would neither be just to his memory and abilities, nor sufficiently intelligible without entering further into the general history of the times than the limits of this memoir will allow.”<sup>(1)</sup>

By setting the limits of his memoir, Walbran defines the scope of this essay. The aim of the present writer is “to detail those affairs of state,” to enquire whether they were “skilfully managed” and finally to see what justice is due to “his memory and abilities.”

Writing in the early nineteenth century Walbran was discreet and romantic in his approach. Genealogy, duels and classical landscapes were more his metier than minute books and stock-jobbers accounts. He treats Aislabie as a local worthy rather than as a national figure, thinking that his activities as a politician would hardly bear examination.

Even as late as 1935, when Aislabie's portrait was bought by subscription and hung in the Town Hall at Ripon, Professor Bower reminded the subscribers that there had been some “difference of opinion as to the propriety of exhibiting and purchasing on behalf of the town the portrait of a man who had a certain blot on his escutcheon. . . .”<sup>2</sup>

<sup>1</sup> J. R. Walbran “*Genealogical and Biographical Memoir of the Lords of Studley in Yorkshire*” 1841.

<sup>2</sup> *Ripon Gazette and Observer*, December 19th, 1935.



Originally Baltic merchants<sup>1</sup> the Aislabies were, by the latter half of the seventeenth century, a well established York family. Georgius Aislabie, John's father, was Register<sup>2</sup> to the Archbishop of York, an office in which John succeeded him. John's mother, Mary, was the daughter of Sir John Mallory of Studley Royal, near Ripon.<sup>3</sup> The connection with the Mallory family was of doubtful benefit to George for it involved him in a duel, fatal to himself. The marriage was of great importance to the offspring, for in 1666, Mary succeeded to her father's estate at Studley.

The circumstances of the duel are romantic and indicate that George had married 'above himself' in the opinion of at least one local gentleman. The incident was trifling. A late return from a party, a young lady (John's aunt) locked out of the house, her escort angry that his fiancée, "Sir John Mallory's daughter, must wait at George Aislabie's gate and not be admitted," a quarrel, hard words, "the scum of the country," followed by a challenge. Such are the bare facts of the case.<sup>4</sup> George Aislabie died as a result in January, 1675, and was buried in York Minster.

At the time of his father's death, John was only four.<sup>5</sup> He was the fourth son, but by a series of deaths he was the eldest surviving son by the time he was thirty. The eldest, Mallory Aislabie, matriculated at Magdalen in 1683<sup>6</sup> but he did not graduate and shot himself.<sup>7</sup> John matriculated at St. John's Cambridge, July 9, 1687, having been at Mr. Tomlinson's school at York. In January, 1692, he went to Trinity Hall, taking his LL.B. in the same year.<sup>8</sup>

The other two sons were both called George and died in 1676 and 1699. William, the other surviving brother, joined the East India Company of which he was a special Commissioner in 1700,<sup>9</sup> a Director in 1721<sup>10</sup> and Deputy-Governor in 1725. Of the four daughters, Mary, Alacia, Anne and Elizabeth, it is only to be noted that Mary married Sir William Robinson of Newby-on-Swale, who was M.P. for York whilst John Aislabie sat for Ripon.

John married twice. His first wife, in 1694, was Anne Rawlinson, who died a tragic death in a fire at her house in Red Lion

<sup>1</sup> Surtees Society. Vol. 129, p. 201; Vol. 102, Yr. 1568; Vol. 57, p. 88.

<sup>2</sup> *Ibid.*, Vol. 113, pp. 314-317, p. 324.

<sup>3</sup> Governor of Skipton Castle as a Royalist. Knighted 1646.

<sup>4</sup> For detailed account see Surtees, Vol. 40, p. 210 fol. *Eboracum* by F. Drake. Vol. 2, p. 350.

<sup>5</sup> Baptised 7 Dec. 1670. Holy Trinity, Goodramgate, York. Register.

<sup>6</sup> *Alumini Oxonienses*. Vol. 1, p. 37.

<sup>7</sup> His sole memorials are a coffee pot, converted from a tankard which he presented, now used in Magdalen Senior Common Room, and the mystery surrounding his death. (I am indebted to Mr. D. G. Kendall, Fellow of Magdalen, for this information. See Catalogue of College Plate, p. 26).

<sup>8</sup> See College Admission Register. His brother George was admitted 1686 but never matriculated or graduated. (I am indebted to Mr. S. G. Fergusson and Mr. F. P. White, both of St. John's for this information).

<sup>9</sup> *Cal.S.P.*, Dom., 1700-1702, p. 41. S.P. 44, 350, p. 63.

<sup>10</sup> *Historical Register*, 1721, p. 18.

Square in 1701.<sup>1</sup> By her he had three children. William, his heir who married Elizabeth Cecil, daughter of the sixth Earl of Exeter ; Mary who married Edmund Waller who figured prominently in the South Sea episode ; and Jane who married into the old Yorkshire family of Slingsby of Scriven. Their step-mother was Judith Vernon, who did not bear John any children. Her father was a quixotic supporter of his son-in-law in 1721 ; she was herself the widow of Stephen Waller who in 1703 was a Deputy Lieut. for Bucks,<sup>2</sup> and her sister was the wife of Simon Lord Harcourt.

The important connections made by his own marriages were the result of his father's marriage, for it was from his mother that John inherited the Manor of Studley Royal and it was this landed property which gave him significance, political power and political opinions.

The parliamentary borough of Ripon had returned members from 1295 to 1337 and again since 1553. Two members were elected by the franchise of the Burgage-holders. In 1688, 369 votes were recorded<sup>3</sup> but an inquest in 1676 showed there to be 180 burgages.<sup>4</sup> In 1715 169 burgesses polled<sup>5</sup> but by 1816 the number dropped to "about 146."<sup>6</sup> These burgage tenements were regulated by the Borough Court which was held periodically to examine the titles of the owners of these tenements just in the same way apparently as copyholders were admitted tenants at manorial courts. Ripon had been closely connected with the See of York since the Norman Conquest. The Archbishops had a palace there and held large tracts of land possessing many rights and liberties. Control over Parliamentary representation "depended on the Borough Court which was held regularly for him until 1649."<sup>7</sup>

Meetings of the court appear to have lapsed until Archbishop Sterne held a meeting on December 20th, 1675, "ostensibly for the purpose of ascertaining the number of burgage houses and the validity of their title ; but as the corporation were led to think, as a means of reviving the waning political influence of the archbishop of York in the borough. In fact Archbishop Sterne claimed the right of the See of York to name the intended representatives in Parliament by letter, and the borough-holders to have only the formality of signing the indentures."<sup>8</sup>

The affair caused great indignation in the town. But not until May 12, 1676, did the corporation order four aldermen to

<sup>1</sup> Surtees Soc. Vol. 65, pp. 338, 340.

<sup>2</sup> S.P., Dom. Entry Book 170, pp. 141, 142. Simon Harcourt and Edmund Waller appointed also.

<sup>3</sup> *Ripon Millenary Record*, Part II, Appendix, p. xvi.

<sup>4</sup> *Ibid.*, p. xx.

<sup>5</sup> *The Wandesfordes of Kirklington*, p. 100.

<sup>6</sup> T. H. B. Oldfield, *History of House of Commons*. Vol. V, p. 308.

<sup>7</sup> T. S. Gowland, *The Manors and Liberties of Ripon in Yorkshire Archaeological Journal*, Part 125, Vol. XXXII. I am also indebted to Mr. Gowland for an instructive letter on this subject.

<sup>8</sup> *Ripon Millenary Record*, Part II, p. 75.



meet the archbishop "in order to beget a right understanding" which was not reached, for on the 19th, they declared the proceedings "illegal and unwarrantable, and tend to the prejudice of the corporation." A writ of *Quo Warranto* was issued against the Archbishop, who moved the king to order a *Nolle Prosequi* to be entered. A bill was filed in chancery against several persons who had resisted the Borough Court and on its being answered the proceedings closed.<sup>1</sup>

For the present the Archbishop retained his power. Richard Sterne, his eldest son, was elected in 1679, 1680, 1681, and this tradition was followed by Archbishop Sharp whose son sat until 1715.<sup>2</sup> It was during this period however, that Aislabie acquired sufficient of the burgage tenements to control Ripon's representation. In 1715, he was able to oust John Sharp. This took place at a contested election: an event of great rarity in Ripon, and John Aislabie and his nominee Lord Castlecomer were elected. A letter written to John Aislabie who was in London at the time, describes the high feeling: "Mr. Sharpe's friends, the night my Lord came to Ripon, were very rude, especially Mr. Sharpe's servants, Mr. Recorder Clarke(?) and Mr. Ridsdale's family, who threw several squibs and crackers into my Lord's coach. Mr. Recorder Clarke, on purpose threw a squib under old Mr. Forster's horse, which threw him, and if great help had not been made, Mr. Forster had been trod to death, and some of them since have broake my Lord's coach glasses. Yo'r friends here stand firm against Mr. Sharpe's golden balls, which fly nightly about the town. Mr. Ridsdale, etc., had a grand consultation yesterday in order to find another candidate to stand."<sup>3</sup>

By 1718, John Wilson, Lord Castlecomer's agent was able to write that in spite of finding "a great many of the Bourrowmen that was our staunch friends before that will not give us their interest again. Our Recorder and some others have said of late that yr Lordship will never be chose for this place any more. . . . I know very well that as your Lordship did not upon any account take notice of them when here has given an occassion of general disgust. . . ." yet he continued, "but if Mr. Aislaby will give you his interest heartily, there should be no great hazard in it. . . ."<sup>4</sup>

In 1685, however, the seats were shared between the Archbishop and the Jennings family. The agents of James II in September, 1688, reported that at "Rippon They will chose Sir Jonathan Jennings and who else Yr M shall name in the right of the Archbishoprick of York."<sup>5</sup> Jonathan Jennings was one of the leaders in the attack on Archbishop Sterne's revived Borough Court; probably from religious and political motives rather than from a desire to vindicate local liberties, for his family represented the

<sup>1</sup> *Ripon Millenary Record*, Part II, p. 75.

<sup>2</sup> *Official Returns*. For Sharp's attitude see below.

<sup>3</sup> *Ripon Millenary Record*, Part II, Appendix, p. xvi.

<sup>4</sup> *The Wandesfordes of Kirklington*, p. 301.

<sup>5</sup> *Yorkshire Arch. Journal*, Vol. V, 1879; p. 471. From Rawlinson MSS.

'Whig' and 'Protestant' interest. The Commission sent round with questions relating to the repeal of the penal laws had found that Sir Jonathan and Sir Edward Jennings "did not own the commission"<sup>1</sup> and as the Mayor was "non commital" and "the Dean did not answer" a list of new aldermen was drawn up to be put in "if the King pleases." The list includes names of Papists who appear later in 1689 and 1690 summoned to take the prescribed oaths.<sup>2</sup>

The 'Whig' Archbishop Sharp<sup>3</sup> evidently thought little of his predecessor's quarrel with Jennings whom he was willing to support as M.P. for Ripon. Sharp looked upon Ripon as being a special case where he was justified in interfering in elections in spite of his self-imposed rule not to intermeddle in them.<sup>4</sup> In 1695 The Duke of Leeds, Lord President of the Council, asked him to interfere as the new parliament was "likely to be of the highest concernment to the church."<sup>5</sup> The Archbishop refused both then and again in 1698. His son adds "Only thus much it may not be improper to add further, viz.: that he made no scruple in the Borough of Ripon . . . to recommend such candidates as he himself approved of. Here he interposed his interest and authority and accordingly he was able to give a more satisfactory answer to the Lord President . . . 'I have done (says he) what I can to secure the election of Mr. Jennings and Mr. Aislalie, (where I think I may and ought to concern myself) and I hope they will be chosen there in case of a new parliament, without any opposition.'"<sup>6</sup> So late therefore as 1695 the Archbishop had influence and did in fact help to put Aislalie into Parliament for the first time. It is difficult to discover exactly when Aislalie obtained control for Archbishop Sharp was friendly to him<sup>7</sup> and supported his elections and it is not easy to see how far he was elected through his own influence and how far through that of Dr. Sharp in the period 1695-1713. It would appear that by 1710 at any rate he was fairly sure of himself.<sup>8</sup>

What is certain is that from 1715-1832 the Aislalies and their successors at Studley Royal controlled the seats. We have seen above that by 1718 "there was no great hazard" if the Aislalie interest were given heartily. The result was ironically summed up by an early nineteenth century writer as follows: "In this way all the tumults of contested elections are avoided at Ripon and the harmony of the town is never broken in upon by

<sup>1</sup> *Yorkshire Arch. Journal*, Vol. V, 1879; p. 471. From Rawlinson MSS.

<sup>2</sup> *Ibid.*, Part 125, Vol. XXXII, p. 82, n. 3.

<sup>3</sup> I have used the term 'whig' to indicate his active part against popery and the government in 1686. See *Parl. Hist.*, Vol. VI, col. 835, for Lord Haversham's description of it.

<sup>4</sup> *Life of John Sharp*, pp. 117-121.

<sup>5</sup> *Ibid.*, p. 124.

<sup>6</sup> *Ibid.*, pp. 126-127.

<sup>7</sup> *Surtees Soc.* Vol. 65, p. 338. Aislalie's first wife was Mrs. Sharp's niece. Deering was Sharp's secretary and Dean of Ripon.

<sup>8</sup> See *Letter to Harley*, August 20, 1710. *H.M.C. Portland Papers*, Vol. IV, p. 570. Quoted below.



the exercise of a popular right in the form of the election franchise.'<sup>1</sup> In practice, until 1885 when Ripon lost its borough seat and gave its name to a county constituency,<sup>2</sup> it was still under the control of the Studley estate in the choice of its member.<sup>3</sup>

From 1695 until his expulsion from the House in 1721 John Aislable sat in every parliament as a member for Ripon only excepting that of 1702 when he sat for Northallerton, a pocket borough of the Lascelles family. He was succeeded by his son who sat continuously from 1719-1781.<sup>4</sup>

On January 6 1701-2 he was chosen Mayor of Ripon and sworn on February 4th. As he was an M.P. for the borough it was necessary for a resolution to be passed by the Corporation "allowing him to dispense with residence in the borough during his term of office as the rules of the corporation enjoined."<sup>5</sup> When Parliament was dissolved in July, Sir William Hustler, who normally sat for Northallerton,<sup>6</sup> was elected for Ripon whilst John Aislable took his seat at Northallerton. In 1705 they each resumed their usual seat.<sup>7</sup>

This friendly association with the Whigish interest is borne out by other facts. In April 1700 both he and his brother-in-law, Sir William Robinson, were made Deputy Lieuts. for the West Riding and in March 1701 for the North Riding also.<sup>8</sup> Unfortunately a division list of the voters on "A Lords' Amendment to a Bill For the farther securing of the Protestant Succession" in 1702 does not mention John Aislable, but in 1704 he voted with the tolerant interest against those who wanted to tack the Bill for Preventing Occasional Conformity on to a Money Bill to secure its passing the Lords.<sup>9</sup>

From this time onwards there is no real evidence, but there is every indication that he drifted away from the majority of the other Yorkshire members with whom he had so far associated. In 1706 he corresponded with Harley about disaffected talk in Ripon.<sup>10</sup> The next year he sought preferment from the same source for his kinsman Edward Blackett who had passed his examinations and was entered upon the list of lieutenants at the

<sup>1</sup> *History and Directory of Yorkshire*, 1821, Vol. I, p. 250.

<sup>2</sup> It lost one seat in 1866 and one in 1885. It passed through 1832 unscathed.

<sup>3</sup> A most valuable analysis of the continuity of the Studley interest (showing the nullity of 1832 'Reform'), is printed in *Ripon Millenary Record*, Part II, p. 138.

<sup>4</sup> Oldfield, *History of House of Commons*, Vol. V, p. 309. *Official Returns*.

<sup>5</sup> *Ripon Millenary Record*, Part II, pp. 83, 85. He was elected an alderman in 1698. *Ibid.*, p. 81.

<sup>6</sup> He sat 1695-1710.

<sup>7</sup> I have been unable to discover the reason for this exchange and can only suggest Aislable being Mayor prevented him standing for the borough for technical or sentimental reasons.

<sup>8</sup> *S.P.*, Dom. 44, 168, pp. 257-9 and 290-337.

<sup>9</sup> Lists in a Volume of Misc. Pamphlets. Brit. Museum, 518, d. 27.

<sup>10</sup> *H.M.C. Portland Papers*, Vol. IV, p. 313.

Admiralty.<sup>1</sup> When Roger Gale, the keen member for Northallerton, brought in the Bill for Naturalising Foreign Protestants in 1708 he received the votes of most of the Yorkshire members, but not John Aislabie's or John Sharp's.<sup>2</sup> Dr. Sacheverell's impeachment in 1710 divided the groups quite clearly.<sup>3</sup> John Aislabie, John Hungerford, Robert Byerly, Robert Benson, Lord Downe, John Sharp, Thomas York, Sir Brian Stapylton, and Sir Michael Warton supported the doctor. The first three were eventually members of the October Club.<sup>4</sup>

The period of establishing himself as a gentleman was over. He had rallied to the Church and the landed interest, it now remained for that party to obtain power and distribute the offices. Aislabie did not have long to wait.

### FINDING A PLACE.

By August 1710 the plans of Harley to supplant the ministry were bearing fruit. Shrewsbury was given office and on the 19th August Godolphin was dismissed. On the 20th, Aislabie wrote to Harley in a jubilant mood: "Give me leave to congratulate you upon the happy turn of affairs and to praise you the author of so great a revolution. I am not capable of advancing the public service except in respect of such elections as shall serve you. I am desired by Lord Downe and Sir Arthur Kaye to procure the Duke of Somerset's interest in this county for which they have already applied to him, but not having received an answer I beg the favour of you to speak to him on their behalf."<sup>5</sup>

Parliament was dissolved on Sept. 21st, and Aislabie hung about in London hoping for some place. Orrery told Harley that he found "by Mr. Aislabie that he would take it well if you could either say something to him yourself or commission me to say something to him before he goes into the country, which I believe he designs to do in a few days. The town has given him a place which I perceive would not be so agreeable to him as another employment in the hands of the same gentleman who 'tis reported he is to succeed, and as that employment would be more pleasing to him, so in my poor judgement he would be more fit for that than the other. He was to wait upon you according to your own appointment but could not see you. I cannot but say that I hope there will be such a Secretary at War and very soon as will probably give satisfaction in his office to all the officers of the army as well as to his particular friends . . . I should hardly forgive myself if I should neglect any opportunity of preserving your old friends or getting you new ones."<sup>6</sup>

<sup>1</sup> *H.M.C. Portland Papers*, Vol. IV, p. 417.

<sup>2</sup> Brit. Museum. *Misc. Pamphlets*, 518, d. 27.

<sup>3</sup> *Ibid.*

<sup>4</sup> See Swift *Works*, Vol. V, "Some Advice . . . to Members of the October Club". Edited Temple Scott. Bell 1901.

<sup>5</sup> *H.M.C. Portland Papers*, Vol. IV, p. 570.

<sup>6</sup> *Ibid.*, p. 600, Sept. 24th. Orrery was the 4th Earl and later a Jacobite friend of Bolingbroke.



Robert Walpole already knew that his enemies were trying to edge him out of office. Five days before Orrery's letter he wrote "I believe in all probability this will be the last letter I shall write from this office. We are in such a way here as I can not describe. But you can imagine nothing worse than you will hear."<sup>1</sup> Aislabie was to be neither the Secretary at War nor the Treasurer of the Navy yet, for Harley wanted to keep Walpole. He "was not repulsed by the first refusal of Walpole to support his administration. He had too much success with many Whigs not to exert every effort to gain a man whose talent and eloquence he held in the highest estimation. He suffered him to continue in his place of treasurer of the navy several months after the Whig ministry was entirely routed."<sup>2</sup>

Harley's desires led to delays which annoyed Orrery and Aislabie. The former impatiently grumbled "I wish you would endeavour to speak to Mr. Aislabie as soon as possible and make him some civil compliment of your inclination to him. He was to wait upon you last night."<sup>3</sup> Five days later on October 4th, his inclination was known. It was rather disappointing after the hopes of September 24th when a secretaryship had been thought of. A place was found for him in the new Commission for Executing the Office of Lord High Admiral.<sup>4</sup> It surprised those outside Westminster as well as those intimately concerned. Dr. William Stratford told Edward Harley, "that you who are at the helm are afraid of having too good a Parliament, and take means to cool the affections of the country. You put us in good humour last week but we are somewhat puzzled at the Commission of the Admiralty"<sup>5</sup>... "we are told Walpole would have resigned his place of the Tr. of the Navy but that his resignation would not be accepted. I know not who has the merit of these things amongst the Whigs, but care is taken that your father should have the blame among the Tories."<sup>6</sup> The discontent of these Tories grew as time passed and members of the 'adverse party' continued in offices they coveted for themselves.

Having obtained a place the newly made commissioner was off to the country whence he wrote on October 27 "I have made use of the liberty you gave me to come down and have carried the County Election triumphantly : so there is an end of a Parliament bully."<sup>7</sup> "I must beg favour of you to take this country into your protection and not suffer us to be governed by an old fashioned interest : it is an easy matter to mould it to your service and to make it yours." He ended with a plea for his friends, "I hope you will give us an instance of your favour in naming the

<sup>1</sup> Coxe. *Walpole*, Vol. 1, p. 35 to Gen. Stanhope.

<sup>2</sup> *Ibid.*, p. 55.

<sup>3</sup> *H.M.C. Portland Papers*, Vol. IV, p. 603. Sept. 29th.

<sup>4</sup> *P.R.O. Signet Office Index to Docket Books*. Ind. 6820.

<sup>5</sup> "Sir John Leake, Sir George Byng, Kt., George Doddington, Paul Methuen, Sir Wm. Drake, Kt. and Barrot. and John Aislabie."

<sup>6</sup> *H.M.C. Portland Papers*, Vol. VII, p. 19.

<sup>7</sup> Sir Wm. Strickland, see *Yorks. Arch. Soc.* Record Series XCVI, p. 144.

next High Sheriff and not suffer it to come from any other hand. There is nothing can show it more than in making the present High Sheriff, Mr. William Turbutt,<sup>1</sup> the Sheriff for the ensuing year . . . I hope I may depend your favour to have him nominated. I am preparing to return to my duty and desire that Benson<sup>2</sup> may not be suffered to grow fat at Bramham."<sup>3</sup>

The duty to which John Aislabie was returning was agitating the Queen, for no one had been found to succeed Russell, Earl of Orford as first Commissioner. Shrewsbury wrote to Robert Harley for advice. ". . . I had a long discourse with her Majesty about the Admiralty. You know the objections she has to Lord Jersey, which are no ways to be overcome but by the sad reflection how few there are capable of that post . . . it would be unjustifiable not to settle the Commission before Parliament meets." (That was in fifteen days on the 25th Nov.). "Lord Rivers was thought of but I believe he would not care for a place of so great attendance.<sup>4</sup> She ordered me to write to you if you could propose anybody . . . I hope in your answer you will propose somebody better than has yet been thought on . . ."<sup>5</sup> We have here a glimpse of the problem facing Harley when he was criticised for retaining people like Robert Walpole in office. He was grappling with a shortage of capable men.

A new Admiralty Commission on December 3rd, merely replaced George Doddington and Paul Methuen by Sir James Wishart and George Clarke.<sup>6</sup> In spite of "behaving himself well towards the Queen,"<sup>7</sup> Aislabie was not thought capable of the post of First Commissioner which remained vacant until September 1712 when it was filled by Thomas, Earl of Strafford.<sup>8</sup>

The task facing the Commission was not an easy one. There had been discontent with the Board of Admiralty in 1708 when George Churchill dominated it. In August 1710 a report of the new Commissioners of the Treasury<sup>9</sup> showed that for 1710 there would be a deficit on the budget of £9,991.<sup>10</sup> Of the total estimated expenditure of £6,401,366 the Navy accounted for £2,200,000; land forces in Spain, Portugal and the Low Countries by comparison £2,529,411; it was pointed out that by the end of the year naval services would exceed their estimates. As the navy debt already amounted to £4½ millions the credit of the Board was not good and some bills were discounted as high as 30% and 40%.

<sup>1</sup> George Aislabie's first wife was the widow of Wm. Turbutt of Ripon. Surtees Soc. Vol. 67, p. 335.

<sup>2</sup> M.P. for York City. Later Lord Bingley. Chan. of Exchequer, 1711.

<sup>3</sup> *H.M.C. Portland Papers*, Vol. IV, p. 617.

<sup>4</sup> Rivers was Lieut. of the Tower 1709-10.

<sup>5</sup> *H.M.C. Bath Papers*, Vol. I, p. 200. Nov. 10, 1710.

<sup>6</sup> *P.R.O. Signet Office Index to Docket Books*. Ind. 6820. Harl. MSS. 2264, 258.

<sup>7</sup> *H.M.C. Portland Papers*, Vol. IV, p. 676. April 19, 1711.

<sup>8</sup> *P.R.O. Signet Office*. *Ibid.*, and ADD. MSS., 22. 265. No. 25.

<sup>9</sup> *Lansdowne* 829 (West Collection), (31 August, 1710). I am indebted to Professor Hughes of Durham University for a transcript of this report.

<sup>10</sup> Supplies granted £6,391,375 6s. 5½d. Services supplied £6,401,366.



An increased debt would of course increase the discount. "So that we can not see how the Navy or Victualling can be hereafter supplied . . . or how the Naval Services can be carried on unless some provision be made in parliament not only for the growing charge of next year but also towards payment of the said debt." Six reasons were given for the huge debt : extraordinary dearness of Victuals,<sup>1</sup> £144,872 already had been spent in excess of allowances; the extraordinary price of naval stores; high freight charges to the Mediterranean; the cost of garrisoning Gibraltar at £4 per man per month; discounts on contracts and finally "the employment of more than 40,000 seamen computed by Parl., it not being practicable by the late commission of the Fleet to pay off the great ships as formerly." The navy needed £694,820 for present needs<sup>2</sup> and a further £160,000 by the end of the year.

It is a strange irony which associated Aislabie throughout his political career with this naval debt. For it was this debt, which he met first as a Commissioner of Admiralty, which formed the major part of the government debt which the South Sea Company took over when it was created in 1711 by Harley.<sup>3</sup>

In order to reduce the charges the Commissioners began to 'pay off' the navy by November 1712. The marines were reduced and 'payed off' "to the number allowed in Companys in the Army"<sup>4</sup> and a report on the number and condition of ships was made.<sup>5</sup> By the 8th December they were able to inform the Lord High Treasurer that 29 ships had already been paid off and that a further 18 were ordered to be paid at a cost of £130,000. Of £400,000 they had been promised from the Treasurer they had already budgeted to spend £368,300 and intended to spend the remaining £31,700 "towards the reducing the complements of ships *which can not* be paid with the aforesaid £400,000." They continued hopefully "But if my Lord H. Treasurer has a prospect of any further Summ of Money for the Head of Seamen's wages, it may allso be employd towards reducing the growing Charge, if you will please to let me know it for their Lordships Information."<sup>6</sup>

Demobilisation after the War of the Spanish Succession was governed by the availability of money and not by Group numbers. "The Trear. of the Navy having had his proporcon of ye money granted by Parlt. for ye year 1712 . . . it may be necessary that no more ships should at present be directed to be paid off nor any more ships in pay to reduce their men to the middle complement."<sup>7</sup>

<sup>1</sup> In Feb. 1711, the Commons debated Victualling abuses which were mostly concerned with beer supplies. *Parl. Hist.*, Vol. VI, col. 1002.

<sup>2</sup> Wages £184,560; Pilotage £10,652; Yards £68,251.

<sup>3</sup> Total debts incorporated were £8,585,000. The Navy debt was £5,132,539. 5s. 5d. Details *Parl. Hist.*, Vol. VI, col. 1024, and *Treasury Papers*, CLVII 17.

<sup>4</sup> At a cost of £50,000. ADD. MSS. 22, 265, Nos. 31 and 48.

<sup>5</sup> ADD. MSS. 22, 265, No. 37.

<sup>6</sup> *Ibid.*, No. 48.

<sup>7</sup> *P.R.O. Treasury Minute Book*, 2. 12. 1712. T. 29. 20.

From December 1712 until April 1714 the process continued however, a close watch being kept on what every ship was actually doing and redundant vessels were paid off—if the money was available. The initiative was usually taken at the Treasury whose Commissioners, on receiving reports on ships from the Admiralty, recommended that certain ones be paid off if the Admiralty had no objections.<sup>1</sup>

During this period Aislabie was working under the Earl of Strafford. No doubt he was a disagreeable colleague for being discontented with his place he distrusted the first commissioner, later leading the attack against him. We must now turn to these internal dissensions.

### CHANGING SIDES.

The Great Tory Ministry of 1710 was not a united body. Those disappointed of office and place, those in offices which they considered less than their deserts, and those with pronounced ideas about Church and Monarchy, combined to create a group which in modern parlance would be called Right-wing. "The cause of their complaint was, that so great a number of the adverse party continued in employment, and some particularly the Duke of Somerset and Earl of Cholmondeley in great stations at Court. They could not believe Mr. Harley was in earnest . . ."<sup>2</sup> So wrote Swift. We have already seen what the non-parliamentary Tories thought of Walpole being kept in office and the disappointment it caused Orrery.<sup>3</sup>

It is not surprising to find that a group of M.P.s, some hundred and fifty, formed what was known as the October Club to "insist on calling the old ministry to a reckoning and on the dismissal of every Whig from top to bottom. During the sessions they met nightly at a tavern in Westminster, dining at long tables and fomenting their passions on October ale."<sup>4</sup>

John Aislabie was among the chief members<sup>5</sup> "who professed in the greatest degree, what was called the High Church principle. They grew in number to almost a third of the House, held their meetings at certain times and places and there concerted what measures they were to take in Parliament. They professed their jealousy of the court and ministry . . . and seemed to expect, that those in power should openly avow the old principles in church and state." Swift concludes, "I was then of opinion and still continue so, that if this body of men could have remained some time united, they would have put the crown under the

<sup>1</sup> ADD. MSS. 22, 265. Nos. 51, 55, 58, 67, 71, 73, 75, 77, 79, 81.

<sup>2</sup> Swift. *Memoirs Relating to that change in the Queen's Ministry in 1710*. Works, Vol. V, p. 385.

<sup>3</sup> See above.

<sup>4</sup> K. Feiling. *Tory Party 1640-1714*, p. 431.

<sup>5</sup> List of members in Swift, *Works*, Vol. V, at the beginning of "Some Advice . . . to the Members of the October Club."



necessity of acting in a more steady and strenuous manner.”<sup>1</sup> By January 1711-12 they were so clamorous that Swift wrote “Some Advice Humbly Offer’d to the Members of the October Club” to appease their ardour. He explained that “Whatever occasions may have been given for complaints that enough hath not been done, those complaints should not be carried so far as to make us forget what hath been done, which at first was a great deal more than we hoped or thought practicable; and you may be assured, that so much courage and address were not employed in the beginning of so great a work, without a resolution of carrying it through as fast as opportunities could offer.”<sup>2</sup>

But the intrigues of St. John could not undermine Harley’s position after Guiscard’s attack on his life, and on June 7th, 1711 he gave the October Club faction merely the Buck-hounds and the Vice-Treasurership of the Navy in the persons of Wyndham and Caesar. The plum he saved for Robert Benson who was made Chancellor of the Exchequer.

A more pronounced rift appeared with the peace. Negotiations with France had started in August 1710 and by the following April a skeleton agreement was communicated on Shrewsbury’s insistence to the Dutch. Preliminary articles were signed between France and Great Britain on October 8th, 1711 but the final treaty was not signed until April 1713.

By Articles Eight and Nine of the Treaty of Commerce “all the subjects of Great Britain and France were to enjoy as to all duties and impositions whatever, the same privileges, which any other nation, the most favoured, did then or shall hereafter enjoy.” By the ninth article “no more customs be paid for goods brought from France than what are payable for the like goods imported from any other country in Europe.”<sup>3</sup> This struck at the wine trade with Portugal with whom England had a treaty agreeing that Portuguese wine be charged a third lower than French wine. By the proposed treaty French wine would be the cheaper of the two as the freight charge would be less from France than from Portugal. If England did not take Portuguese wine she would lose the Portuguese market: “a great vent for our manufactures”, and about half-a-million of gold per annum.

A similar objection was raised in regard to silk. For cheap French silk would under-sell English silks which employed some 300,000 people in their manufacture. Further, imports of silk from Italy and Turkey would no longer be paid for by English manufactures and woollen goods exported thence.<sup>4</sup>

The debate on June 18th, 1713 on the motion for ingrossing the Bill brought some of the October Club to the support of the

<sup>1</sup> Swift. *Memoirs Relating to that change in the Queen’s Ministry in 1710.* Works, Vol. V, p. 386.

<sup>2</sup> *Ibid.*, “Some Advice Humbly Offer’d . . .” Works, Vol. V.

<sup>3</sup> *Parl. Hist.* Vol. VI, col. 1210-1211.

<sup>4</sup> *Ibid.*, Vol. VI, col. 1210-1213 for the debate on May 14, 1713.

merchants who had petitioned against and opposed the Treaty in Committee. The Tories were led by Sir Thomas Hanmer, a member of the October Club who had supported the first reading. Now, however, he was convinced "that the passing of it would be a great prejudice to the woollen and silk manufactures of this Kingdom, consequently increase the number of the poor, and in the end affect the land." This reference is very significant. It exposes the Tory attitude. The fear of an increased land tax moved the landed gentlemen to look for peace in 1710, and now in 1713 the fear of increased poor rates moved them to oppose the terms of the peace.

Hanmer concluded by avowing his independence and his determination "never to be blindly led by any ministry" but only by the interest of his country.<sup>1</sup> He was followed by Aislabie and a fellow October Club member Francis Annesly, a commissioner of the Public Accounts, both of whom spoke against the bill. The government were defeated by 194-185. The minority included two Octoberites with whom Aislabie was friendly, Robert Byerley who had become a place-man in Jan. 1713 and John Hungerford. John Sharp and Robert Benson also stuck to Harley on this issue.<sup>2</sup>

The severe illness of the Queen during the autumn of 1713 and the ascendancy of Bolingbroke over Oxford reinforced the impulse to division on the issue of Hanoverian v Stuart Monarchy. Aislabie had acted as a Tory landowner and churchman in supporting Harley and in the same way Arthur Annesley, fifth Lord Anglesey, and Sir Thomas Hanmer were trying to combine this attitude and interest with an acceptance of the Hanoverians.

John Aislabie voted with the government on the expulsion of Mr. Steele<sup>3</sup> in March, 1714 but on April 8th, he left the Commission of Admiralty.<sup>4</sup> He was succeeded by Sir George Beaumont Bart., on April 22nd.<sup>5</sup> On this day the Address of Thanks for the Treaties of Peace and Commerce came before the House and Aislabie had an opportunity to speak his mind "with great vehemence against the ministers, for having made so precarious a Peace."<sup>6</sup> A division was not taken and so he was not able to act against them. Action had to await the next session.

### THE TREASURER OF THE NAVY.

Having left the Ministry when the Hanoverian Tories led by Hanmer joined the opposition on the question of the safety of

<sup>1</sup> *Parl. Hist.*, Vol. VI, Col. 1223.

<sup>2</sup> *Brit. Museum. Misc. Pamphlets*, 518. d. 27.

<sup>3</sup> *Ibid.*

<sup>4</sup> ADD. MSS. 34, 402. Treasurer of the Navy Accounts, "unto John Aislabie Esq., the like for half a yr. and 14 days ended the 8 April, 1714, £538. 9s. 3d." This is the only evidence I can find to give the exact date of his dismissal.

<sup>5</sup> *P.R.O. Signet Office*, op. cit.

<sup>6</sup> *H.M.C. Lonsdale MSS.*, p. 216. *Parl. Hist.* Vol. VI, col. 1348.



the succession, Aislabie was 'on the right side' later in the year when the Queen's death changed the bias of government.

It is not surprising therefore to find the Treasurership of the Navy falling to him in October 1714.<sup>1</sup> Charles Caesar, his October Club friend, had stuck with the ministry too long and had to hand over to a man he must have regarded as a traitor.

Unlike the position four years previously there did not appear to be any restriction on the expulsion of the opposite faction. "But now those officers are turned out who had been kept in hitherto for their sufficiency by all the parties, I suppose no one will be spared," complained Dr. Wm. Stratford to Edward Harley as he bemoaned "the reform in the Navy Office." "Sergison and Lyddal are rich, I am afraid poor Tollet is not in so good a condition."<sup>2</sup> He does not tell us what he thought would happen to the others, Furzer, Isaac Townsend, L. Hunter and B. Tymewell.<sup>3</sup> In fact only 'poor Tollet,' Hunter and Tymewell were not re-appointed on the very day that Stratford penned his moan.<sup>4</sup> This ministry were after bigger things than minor place-men.

On April 9th, 1715 the Commons agreed to the setting up of a committee of secrecy to examine the books and papers relating to the late negotiations of Peace and Commerce. John Aislabie was one of the members of the committee over which Robert Walpole and Stanhope presided. It reported at considerable length on June 9th, 1715.<sup>5</sup>

As an ex-Commissioner of Admiralty Aislabie was a useful person to have on such a committee. The Commissioners had been responsible for conveying to Holland the bearers of the English propositions "as the foundation of a general peace" including proposed places for the conferences. But the States "dreaded the fatal consequences of opening the general conferences" and "for some time declined to grant passports." They therefore "sent over Monsieur Buys to intercede with her Majesty to alter her resolutions, they make the same representations to the Earl of Strafford, but all to no purpose."<sup>6</sup> On the 18 December, 1711 therefore, Aislabie signed orders to the Captain of Her M. Yacht, The Henrietta, "to receive . . . Monsieur Briyss . . . envoy extraordinary from the States General to Her Majesty together with his Retinue . . . and to convey them to Holland."<sup>7</sup> By the 28th there was a virtual blockade at Dutch ports, captains being "strictly required and directed not to receive on board . . . any

<sup>1</sup> *P.R.O. Signet Office*, op. cit. *Hist. Register*, Vol. 2, p. 12. "A Grant with the salary of £2,000 per annum . . . together with the Messuage and appurtenances thereof at Deptford . . ."

<sup>2</sup> *H.M.C. Portland Papers*, Vol. VII, p. 207. Nov. 5, 1714.

<sup>3</sup> ADD. MSS. 22, 265. No. 93.

<sup>4</sup> *Historical Register*, Vol. 2, p. 18.

<sup>5</sup> *Parl. Hist.* Vol. VII. Col. 57, 64.

<sup>6</sup> ADD. MSS. 22, 265. No. 14. See also : Report of Secret Cttee. on the Peace. It is printed as an appendix to *Parl. Hist.*, Vol. VII.

<sup>7</sup> ADD. MSS. 22, 265. No. 15.

person whatsoever without direction from hence or from Her Majesties Minister in Holland as you will answer the contrary at your Perill.”<sup>1</sup>

By January 1712 the Dutch complied but it gained them no good will for the Admiralty began to prepare evidence for use against them by drawing up a list showing how far short of their quota of ships they had fallen between 1702 and 1711. In the following month this evidence was used in order to assist the passing of resolutions against the Dutch.<sup>2</sup> Aislabie therefore already had inside knowledge of what had gone on before the peace terms were discussed and agreed to. He was a most suitable person to impeach his former chief, Strafford, on 22nd June, 1715.

According to Aislabie his conduct “had been vastly different from that of his colleague, the lord bishop of London.”<sup>3</sup> “This good and pious prelate” seemed to John “to have been put at the head of the negociation only to palliate the iniquity of it, under the sacredness of his character,” being nothing more than a cypher in the absence of Strafford.

Aislabie was glad too that “nothing could be charged upon the bishop, since it gave them an opportunity to convince the world that the church is not in danger.” How far the world was convinced is doubtful, but it indicates the way his mind worked. He had no less regard for the Church in 1715 as a Hanoverian Treasurer than he had had in 1710 as a keen Tory.<sup>4</sup> The twin pillars of his political philosophy were land and church. As he proclaimed in the House in 1717, “the landed men, and their representatives, were masters of the main spring and stock of the wealth and strength of the kingdom.”<sup>5</sup>

By contrast to the innocent prelate, he thought the Earl of Strafford “not only . . . forward to venture and undertake anything . . . to be the tool of a Frenchified ministry : but in many instances had gone beyond his instructions and advised most pernicious measures.”<sup>6</sup> Therefore, Aislabie was for impeaching him under three heads :

1. advising the fatal suspension of arms which was soon followed by misfortunes and necessitated the allies submitting to an unsafe and dishonourable peace,
2. advising the seizing of Ghent and Bruges in order to favour the enemy,

<sup>1</sup> ADD. MSS. 22, 265. Nos. 16, 17, 18, 19, 20, 21.

<sup>2</sup> *Parl. Hist.* Vol. VI, col. 1090.

<sup>3</sup> *Ibid.*, Vol. VII, col. 71.

<sup>4</sup> November 27, 1715 he was one of the Commissioners for Building fifty new churches in London and Westminster. *Hist. Register*, Vol. 2, p. 72. In 1724 he “generously repaired and beautify’d the Fabrick” of Ripon Cathedral damaged by storms in February 1714. *Gent. History of Ripon*, 1733, p. 118.

<sup>5</sup> *Parl. Hist.* Vol. VII, col. 459.

<sup>6</sup> *Ibid.*, Vol. VII, col. 71.



3. the insolence and contempt with which he had treated the most serene House of Hanover and their generals and ministers.

Are we justified in sensing a personal feeling in the third charge? It does not need much imagination to gauge Strafford's attitude to his former junior commissioner now raised to the Treasurership of the Navy.

The motion was carried by 268-100. On September 1st, Aislabie carried his articles against the Earl to the Lords.<sup>1</sup>

Meanwhile he was active against his former patron, Oxford, to whom he was so keen in 1710 to "render service." Robert Walpole had some difficulty in carrying his point that the eleventh article of Oxford's impeachment was high treason. Sir Joseph Jekyll, who was a member of the Secret Committee with Walpole and Aislabie, maintained the contrary but Aislabie supported Walpole's point and the motion being amended was carried by a majority of 120.<sup>2</sup>

On September the 7th there was another argument over Oxford and once again Aislabie insisted on proceeding against him. It was a conspicuous attack and earned him the enmity of the Harley group in London and Oxford. Shippen had argued that the prosecution ought to be dropped, "the affairs of Europe having received a sudden turn from the death of the French king; whereby the renunciation of King Philip began to take place, in the advancement of the Duke of Orleans to the absolute regency of France."<sup>3</sup>

This specious argument did not confuse Aislabie. He agreed that "there might be something in" the suggestion that Louis's death would strengthen the renunciation of Philip, but he insisted that "after all, it could not yet be ascertained that the renunciation was in force" and even were it to take place it "would not justify the ministers who proposed and laid it as the foundation of the late peace, since they with whom they treated were so frank and so sincere as to tell them that it could never be valid, by the fundamental laws of France."<sup>4</sup>

These debates took place during a period of acute strain. The tumults in Staffordshire led the House to petition the King "to act quickly and sternly against the rioters."<sup>5</sup> His Majesty replied requesting assistance "against a rebellion actually begun at home and threatened with an invasion from abroad."<sup>6</sup> The Fifteen did not catch the Government unprepared: the Commons assured the King of their support with supplies on July 21st, but the Treasury Board had the hard task of finding

<sup>1</sup> *Parl. Hist.* Vol. VII, col. 144.

<sup>2</sup> *Ibid.*, col. 73. July 7, 1715., c.f. Coxe, *Walpole*, Vol. 1, p. 120 where Coxe denies that Walpole accused Oxford of High Treason.

<sup>3</sup> *Ibid.*, col. 212.

<sup>4</sup> *Ibid.*

<sup>5</sup> *Ibid.*, col. 108. July 16, 1715.

<sup>6</sup> *Ibid.*, col. 111. July 20th, 1715.

the actual money. Walpole was at its head from October 12th when he replaced Lord Carlisle who had been there since May 24th, as successor to Halifax.<sup>1</sup>

The supply was raised in part by calling on the various departments to raise money on their securities. Aislabie was told to raise £20,000 by selling Land Tax talleys in his possession,<sup>2</sup> and ordered to appear before the Treasury Board on the 13th October. He did not appear but as the danger grew nearer he received another order to attend on November 10th. This was two days before the Scots rebels crossed the border and he was told "to pay Lord Lincoln £22,000 on some Tallys he has."<sup>3</sup> The same day the South Sea Company agreed to allow him to transfer £38,693 worth of stock. The Provost of Edinburgh wanted money for he had with "much zeal for the King's service, supplied the commanders of the men of war employed in the river against the rebels, when no one there would give them credit."<sup>4</sup> In order to get this irregular account settled the Lords of Admiralty had to send a special plea to the Lords of the Treasury to pay the Treasurer of the Navy the money required.

The funds raised on the South Sea Stock were soon accounted for. The day after Sheriffmuir, November 23rd, £31,588. 13s. 4d. of this was paid to the Paymaster-General and £5,000 to Lord Lincoln "for provision and forage for the army in North Britain."<sup>5</sup> Almost all the remainder, £1,821. 17s. 5d., was needed in January to "satisfy the offreckonings for clothing the Regt. Commanded by Sir Harry Goring."<sup>6</sup> There had been another big drain on the Navy treasury in November besides the South Sea Stock. On the 25th, the Treasurer had had to transfer £47,760 worth of Bank Annuities to the Treasurer of Ordnance.<sup>7</sup>

We have already seen how the paying off of the navy had started as far back as 1712 when Aislabie was a mere Commissioner. Now as Treasurer it was his task to complete the demobilisation. The Navy estimates for 1714 had been presented on February 24th, before he left the board<sup>8</sup> but they had been scrutinised by a committee of the Commons and reduced.

This committee made various changes and comments.<sup>9</sup> It considered £5,000 sufficient for Executing the Office of Lord High Admiral instead of £7,000 as estimated. The suggestion went the way of such attacks on influential place-men : it was ignored. In fact in 1718 £8,000 was allocated.<sup>10</sup> The 14 Commissioners of the

<sup>1</sup> *P.R.O. Treasury Minute Book*. T. 29, 22. Oct. 12th, 1715. May 24th, 1715.

<sup>2</sup> *Ibid.*, 7 Oct.

<sup>3</sup> *Ibid.*, 10 Nov.

<sup>4</sup> *P.R.O. Treasury Papers*. CXCI. 28.

<sup>5</sup> *P.R.O. Treasury Minute Book*, op. cit. Nov. 23rd 1715.

<sup>6</sup> *Ibid.*, 24 Jan., 1716.

<sup>7</sup> *P.R.O. Treasury Papers*, CC. 23.

<sup>8</sup> *P.R.O. Treas. Minute Book*, op. cit. 24 Feb., 1714.

<sup>9</sup> Brit. Museum. ADD. MSS. 22, 265. No. 91.

<sup>10</sup> *P.R.O. Treas. Minute Book*. T. 29. 23. July 3rd, 1717. Jan. 3rd, 1718.



Navy had their £7,000 cut to £5,000 and this seems to have been done.<sup>1</sup> Moreover, the allowance in lieu of rent of "those five of their number that have not dwelling at the navy office" was cut by £80 to £320.

In their zeal for economy the committee failed to appreciate properly the problem of timber supplies for the navy. "Under the head of 'Muster Masters and other Genrll officers of the Out Ports . . . £1,000. 17s. the Committee observed the sum of £200 charged for John Bridges Esq. as Surveyor of Her Majesty's Woods in New England, which office appeared to them to be useless and therefore were of the opinion the whole might be deducted being . . . £200."<sup>2</sup> This caused some trouble over the next five years for Bridges' pay appears to have been stopped. He complained, but not until 1719 did anything happen when in justification of the office it was pleaded that "New England has been the only place for 60 years that has supplied the Crown with masts, yards and bowsprits. With continual diligence of the surveyor it is possible to keep the inhabitants from cutting the trees."<sup>3</sup>

The committee did not suggest ways of reducing Wages, Victuals, Mooring charges, repairs, being content to exhort that "whatever can be saved on these heads must arise from the frugality and management of those concerned in the administration of the affairs of the Navy." In fact, repairs were the only item which showed an appreciable decrease, some £15,000 to £20,000 per annum in the next four years. The policy of the new ministry was declared in the King's Speech of March 21, 1715. "The public debts are very great, and surprisingly increased even since the fatal cessation of arms. My first care was to prevent a farther increase of these debts by paying off forthwith a great number of ships, which had been kept in pay when there was no occasion for continuing such an expense."<sup>4</sup> This was an ungracious reference to the late ministry who had done what they could with the money available in 1712 and 1713.<sup>5</sup>

Aislabie was very much aware of the "growing charge of the Navy" as he called it. He believed that the way to reduce it was to continue the policy laid down already with more speed.<sup>6</sup> In the 33 months from April 12, 1715 to January 3rd 1718, no less than £701,567 was raised and allocated to paying off ships apart from the current ordinary naval expenditure of some £230,000 per annum. Moreover the various expeditions to the Baltic and the expenses of the Fifteen rebellion interrupted the process by draining off money.

As early as February 1714 the South Sea Trustees had been willing to lend £50,000 "mostly for putting ships out of pay,"<sup>7</sup> and

<sup>1</sup> Navy Estimates 1714-1718. ADD. MSS. 14032/26.

<sup>2</sup> ADD. MSS. 22, 265. No. 91.

<sup>3</sup> *P.R.O. Treasury Papers*. CCXXI. 49.

<sup>4</sup> *Parl. Hist.* Vol. VII, col. 43.

<sup>5</sup> See above.

<sup>6</sup> *P.R.O. Treas. Minute Book*. T. 29, 23. Dec. 7, 1716.

<sup>7</sup> *Ibid.*, T. 29, 20. Feb. 25, 1714.

by December of that year Sir Theodore Janssen and Sir Charles Peers had increased the amount by £100,000.<sup>1</sup> Aislalie and the Lords of the Treasury agreed that the "money which they have borrowed . . . will be best applied to put ships out of pay."<sup>2</sup> In April, May and June of 1715 over £243,000 was spent and it was intended to raise £940,000 against the return and consequent laying up of ships of the Squadron from the Baltic.<sup>3</sup>

A further post-war economy was proposed by the Treasury in June 1715. Their Lordships, suggesting that the Transport Office be abolished, proposed that the Navy Office take it upon themselves. Aislalie and the Navy Commissioners objected on the grounds that they already had a "multiplicity of business." Their Lordships replied that they "would have them consider of some way to make this matter easier to the public for that their Lordships conceive this of the Transport will be but a small addition."<sup>4</sup> The economical reform appears to have been a victim of the '15, for in December Mr. Colby was appointed "singly to carry on such transport services as shall be necessary," apparently under the Navy office, for Aislalie was still responsible for payment of transport although Colby did the work.<sup>5</sup> When he changed office Aislalie's attitude to this problem changed also. In 1718 Colby became a Navy Commissioner and Aislalie, then Chancellor of the Exchequer, had sufficiently imbibed the treasury spirit in four months of that office, to be of the opinion "that the accounts and other matters relating to the Transport Office be put under the management of the Commrs. of Navy in the same manner as the Comms. for Sick and Wounded Seamen is."<sup>6</sup>

There was a complete break in laying up of ships from June 1715 to March 1716. During this period the Treasurer of the Navy was helping other departments by disbursing money for the suppression of the rebellion. The only income which he was allowed to use for the long term policy was £77,049 which Caesar, his predecessor, handed over as the balance due from his term of office.<sup>7</sup> But the details were to be laid before the treasury board before action was taken.<sup>8</sup> After the '15 was over the long term policy was continued so that in the last nine months of 1716, £294,494 was spent on laying up. Other demands, however, were made on the Treasurer.

The Baltic Fleet, against whose return the Treasury was intending to raise money in May 1715, was an expedition decided on in January 1715 to further George I's German policy "of acquiring Bremen and Verden by facilitating the Northern Allies'

<sup>1</sup> *P.R.O. Treas. Minute Book*. T. 29, 22. Dec. 23, 1714.

<sup>2</sup> *Ibid.*, T. 29, 22. 13 Dec. 1714.

<sup>3</sup> *Ibid.*, May 11, 1715.

<sup>4</sup> *Ibid.* June 21st, 1715.

<sup>5</sup> *P.R.O. Treasury Papers*. CCXV. 60, and *Minute Book* 22 Dec. 1715.

<sup>6</sup> *P.R.O. Treasury Minute Book*, July 4th, 1718.

<sup>7</sup> ADD. MSS. 34, 402 for his final account.

<sup>8</sup> *P.R.O. Tr. Minute Book*. Dec. 13, 1714.



attack against Stralsund and Rugen.”<sup>1</sup> The fleet sailed under Norris on May 29th, and contained 20 men of war. To justify the action to the British it was alleged that British trade in the Baltic was in need of protection “numerous merchant ships having been captured by Swedish privateers.”<sup>2</sup> The whole series of these expeditions is an interesting example of the orientation of British action towards Hanoverian lines during the period 1715 to 1718.

The demand for this fleet continued even after the two Duchies on the lower Elbe had been ceded to Hanover. Both Denmark and Prussia wanted ships there to attack the Swedes. Consequently the 1715 subterfuge was used again and on May 25, 1716, twenty-one ships sailed under Norris again, ‘in order to protect our merchant ships.’ Provision had to be made.

The Lords of the Treasury realised that credits would be necessary “to supply them with provisions and other necessarys” and therefore ordered Aislalie to pay punctually the bills taken out by the Fleet’s victualling agent “for any sum not exceeding £12,000.”<sup>3</sup> In order to raise money for the contingency account of the Squadron £500 worth of South Sea Stock was sold. On the 17th May, John Gore’s tender was accepted for supplying the credit of the fleet in any port of the Baltic at “a commission of  $\frac{1}{2}\%$  . . . in Hamburgh for paying and redrawing the said Bills and a consideration of 1% for my negotiating the whole affair which is attended with the charge of Brokerage, Postage etc.”<sup>4</sup> In 1741 during the War of Austrian Succession, Gore was still the agent. His fees had gone up considerably in proportion with the increase in remittances.<sup>5</sup>

The Bills started to come in by September 1716, when Robert Walpole writing to Secretary Stanhope informed him that “the supplies of this year have been so ordered that although there was a deficiency above £600,000 we shall be able to carry on the subsistence of the army, and all the services of the navy that are of absolute necessity till after Christmas.”<sup>6</sup>

On December 7th, Aislalie, aware of the state of the public debt, presented a memorial to the Treasury Board “wherein he desires that in order to ease the growing charge of the Navy the sum of £100,000 might be immediately supplied to pay off and lay up Severall of His Majesties Ships lately arrived from foreign parts.”<sup>7</sup> £25,186 was to come from the money raised by the 1715 and 1716 Land Tax tallies plus some South Sea and Bank Dividends<sup>8</sup> and it was hoped to raise £60,000 on more 1716 Land Tax

<sup>1</sup> Michael. *Hanoverian Dynasty*, p. 287.

<sup>2</sup> *Ibid.*

<sup>3</sup> *P.R.O. Tr. Minute Book*. May 8, 1716.

<sup>4</sup> *Ibid.*, May 17, 1716.

<sup>5</sup> Cf. Namier, *Structure of Politics at the Accession of George III*. Vol. I, p. 59.

<sup>6</sup> Coxe, *Walpole*, Quarto Ed. Vol. II, p. 93.

<sup>7</sup> *P.R.O. Tr. Minute Book*. Dec. 7, 1716.

<sup>8</sup> The government were paying themselves so far as South Sea dividends went, for the company had made no money but were merely sitting on government debt.

tallies. On the 14th and 18th, orders were given for him to borrow £80,000 on Land Tax tallies "to be repayed out of the first Supply to be granted by Parliament."<sup>1</sup> Immediately, however, the money began to go on current expenses. "£50,000 for Short Allowance money to the Coy of H.M. Ships lately returned from the Baltic"—that was the 1716 convoy fleet. In order to pay their wages and Norris's Flag pay, £22,000 of Malt Tallies 1715 were disposed of.<sup>2</sup>

No sooner had the Treasurer paid for the 1716 trip to the Baltic than he was called on to "reserve in his hands £12,000 part of the £100,000 lately issued to him . . . to answer Bills by the agent victualler of the Fleet going to the Baltic."<sup>3</sup> Further, it must have made Aislabie despair, "to apply £63,024 part of the same £100,000 to the wages, Wear and Tear and Victualling." There was little left with which to pay off and 'ease the growing charge' while the Baltic fleet came home in December to be paid and went off in March again and needed more money to take with it. After it had gone the paying off continued until it returned again in November, this time it was Byng and his officers who wanted their pay of £67,300.<sup>4</sup>

There were many who were not convinced that sending ships to the Baltic was a service "of absolute necessity." They were able to express their views and feelings in the debate for Swedish supply, as it was called, in April 1717. Stanhope only achieved a majority of four in spite of the publication of the Gyllenburg invasion plot papers which must have been fresh in members' minds.<sup>5</sup> The truth was that "the danger to which England had been exposed arose solely from the fact that her king had tried to extend his German possessions at the expense of Sweden."<sup>6</sup> The result was being felt in the Treasurer of the Navy's department.

Nevertheless, Aislabie supported the policy in the Commons<sup>7</sup> where he spoke on behalf of the ministry in the debate on Supply. His support of the ministry was continuous. The Septennial Bill in April 1716 had had his support by both tongue and vote.<sup>8</sup> In June of the same year the Earl of Strafford still engaged him in argument with the Lords<sup>9</sup> but as the past and its troubles passed the cares of the future emerged. The Public Debt which was to dominate the next four years of Aislabie's life was already agitating Parliament.

<sup>1</sup> *P.R.O. Tr. Minute Book.* Dec. 14, 18, 1716.

<sup>2</sup> *Ibid.* Jan. 15, 1717.

<sup>3</sup> *Ibid.* March 20, 1717.

<sup>4</sup> *Ibid.*, 13 Nov. 1717.

<sup>5</sup> *Parl. Hist.* Vol. VII, col. 440 and 396-420.

<sup>6</sup> Michael, *Hanoverian Dynasty*, p. 308.

<sup>7</sup> *Parl. Hist.* op. cit. col. 437.

<sup>8</sup> *Ibid.*, col. 310 and 367.

<sup>9</sup> *Ibid.*, col. 384.



## MR. CHANCELLOUR.

Aislabie's early approach to the problem of the national debt was that of the ordinary Tory. Of them Coxe says "though extremely powerful, both in respect of numbers and property, were censurable for their arrogance in pronouncing themselves exclusively the landowners and proprietors of the kingdom, reviled their opponents as a faction which leaned for support on the enemies of the Church and Monarchy, and on the Bank and monied interest, which was as they said, raised by usury, and founded on corruption."<sup>1</sup>

Walpole, as Chancellor of the Exchequer, proposed to borrow £600,000 at 4%, a lower rate than on previous loans, the interest on which averaged 7%. This lowering of rate led to the surmise among the city magnates that the Treasury intended to put all public funds on to this cheaper rate.<sup>2</sup> In the long run this is what Walpole hoped to do in order to decrease the charge of the debts on public revenue. But a cheap money Chancellor was unpopular even in 1717. The 'monied interest' disliked the new scheme and policy.

It was noted by Mr. Lechmere in the Commons that "several schemes . . . for reducing the National Debt had been printed and dispersed, which gave the persons concerned in the public securities the greatest uneasiness, in that there was reason to apprehend that those schemes came abroad with the privity and countenance of men in great places. That the general alarm which this had occasioned among the monied men might very sensibly affect the public credit, and be, at this juncture, of very dangerous consequence."<sup>3</sup>

Walpole agreed to the motion that "this House will make good the deficiencies of all parliamentary engagements"<sup>3</sup> in order to maintain confidence. He pointed out that the several published schemes were made "without the participation of ministers" and promised to lay his proposals before the House soon. One of the members then took the opportunity of mentioning "the great services done by the Bank of England and those who by their money had supported the court interest and the present establishment."<sup>4</sup> Aislabie could not accept this suggestion that the present ministry rested on money, and "like the King's Champion coming into Westminster Hall" replied that "upon the alluring prospect of gain" the Bank of England were as ready to support the late ministry.

This was true enough but the words used were open to misinterpretation, in 1717, as a charge of Jacobitism. Three days later he had to apologise for the words agreeing that the Bank had "supported the government in the most difficult exigencies,

<sup>1</sup> Coxe, *Walpole*, Vol. I, p. 93.

<sup>2</sup> *Parl. Hist.* Vol. VII, col. 424. March 5th, 1717.

<sup>3</sup> *Ibid.*, col. 425.

<sup>4</sup> *Ibid.*, col. 425.

and that in his opinion, if anything ought to remain untouched it should be the Bank.”<sup>1</sup>

His general feeling of suspicion towards the monied interest was well-founded and it might have been better for his reputation had he retained this prejudice until 1720. In the debate on Supply in which Aislaby made his apology, Walpole stated that only £45,000 of the £600,000 loan had been subscribed. “Some Stock-jobbers in order to deter the Parliament from pursuing the design of reducing the public debt had formed a combination to distress the government and ruin the public credit.”

Lechmere thought the failure due to a fear that Parliament “may exert their authority to extricate themselves by reducing the National Debt.” He insisted that Annuities “were not to be looked on as debts, but as a sale of annual rents, for a valuable consideration” and thus were entirely different from redeemable debts. Further, “besides the injustice of breaking through a national contract, these annuities could not be touched without occasioning great confusion and disputes in private families by reason that most of the said annuities had been settled for portions, jointures and the like.”<sup>2</sup> Here already, in 1717, is the long and tedious debate over the South Sea Company proposals of 1720, in embryo.

Stanhope, “who owned his incapacity for the affairs of the Treasury”<sup>3</sup> in an ingenuous speech to the Commons, became Chancellor of the Exchequer on April 15th, 1717. Walpole and Townshend both left the ministry at this time because of the Hanoverian bias which we have already noted.<sup>4</sup>

It fell to Stanhope to introduce proposals from the South Sea Company and the Bank of England for reducing the National Debt. By these the Company was to increase its capital stock from ten to twelve millions, and the two millions so raised were to be lent to the exchequer at 5%, where they were to be used to redeem the principle of four Lottery Acts of 1711 and 1712 and the 3% Annuities of Charles II reign. It was further proposed that after June 1718 the interest was to be at 6% and the whole debt was to be redeemable after 1725. This was the answer of the City to Walpole’s cheap money policy.

In the debate in the Commons attention was concentrated on the difference between the 4% current business rate of interest and the 6% proposed by the Company. Mr. Hungerford and Mr. John Smith thought the monied men might have given proof of their zeal for the present government “by contributing more than they offered to do, towards reducing the public debts, and easing the landed men, who for so many years have born the

<sup>1</sup> *Parl. Hist.* Vol. VII, col. 427.

<sup>2</sup> *Ibid.*, col. 427.

<sup>3</sup> *Ibid.*, col. 460.

<sup>4</sup> See above.



greatest part of the national burdens.”<sup>1</sup> Mr. Hopkins replied that he “was satisfied that the landed and monied interests are entirely the same since the value of land rises or falls in proportion to the plenty or scarcity of money.”<sup>2</sup>

This may have been sound economics, but to Aislabie it was heresy to suggest that the landed and monied interest were the same. He rashly spoke his thoughts: “That of late years the Companies of monied men were grown so proud as not only to treat familiarly with the parliament, but even to pretend to dictate to them; and that therefore it was high time to give them a check, and let them know, that the landed men and their representatives, were the masters of the main spring and stock of the wealth and strength of the kingdom: and concluded for putting off the business until the next session.”<sup>3</sup>

Unfortunately ‘the landed men’ were not the masters of the ‘stock of the wealth’ of the country, a fact he seems to have appreciated by the end of the debate (probably after some prodding from the other members of the ministry). He supported Sir Joseph Jekyll on the grounds that “as he had never designed, so he would not be thought to oppose anything that carried the face of public good; and therefore he was for granting to the South Sea Company the terms of years that had been mentioned.” i.e., unredeemable until 1725. The terms were eventually granted to both the Company and the Bank and became law.<sup>4</sup>

Although a member of a Whig Ministry his insistence on the importance of the landed interest was still as great as in his October Club days. Perhaps the death of his father, who had fought against the man who called him “the scum of the country,” created in him an exaggerated insistence on the importance of his landed interest and a pronounced snobbery towards the monied men from which strata of society his father had risen.

The High Church principles of the Sacheverall days were still there too. In May 1717 he supported the Jacobite Wyndham<sup>5</sup> in his motion that Dr. Snape be asked to preach before the House, on the grounds that “in spite of his having opposed the Bishop of Bangor’s pamphlet ‘A Preservative against the Principles and Practices of the Nonjurors’ ” . . . he looked upon him “as a learned and honest man” . . . and did not “consider it a sufficient reason to put him a negative, which would be prejudging of a controversy that did not properly belong to their cognizance.”

He was no Jacobite however. In December he seconded a motion against Shippen’s offensive speech supposed to contain words that “were in the Pretender’s declaration” as Aislabie put

<sup>1</sup> *Parl. Hist.* Vol. VII, col. 458.

<sup>2</sup> *Ibid.*, col. 459.

<sup>3</sup> *Ibid.*, col. 459.

<sup>4</sup> Anno 3 Geo. I c. 7, c. 8, c. 9.

<sup>5</sup> *Parl. Hist.* Vol. VII, col. 452.

it.<sup>1</sup> Memories of the Fifteen had been raised in June by Pulteney and Walpoles' motion against General Cadogan for embezzling transport funds at that time of national danger. Aislabie, whose responsibility Transport money was,<sup>2</sup> spoke in vindication of Cadogan. But the vote on the motion showed how great was the loss to the ministry of Walpole's support. The government had only a majority of ten : 204-194.<sup>3</sup>

When the new session opened in November 1717 the Ministry had to withstand yet another strong attack, on the size of the armed forces on this occasion, from Walpole and the dissident Whigs with the support of the Tories. Both the size and cost were vigorously attacked. Aislabie and Craggs, the Secretary at War, defended the estimates against Hanmer and Wyndham in a long battle. Honours ended even for although numbers were not reduced, money was, for Walpole raised 158 votes to the government's 172.<sup>4</sup>

The ministry was weak and constantly on the verge of defeat having only a majority of 20 to 30 votes with which to maintain their position against Walpole's strong attacks. Aislabie became one "of the great speakers on the Court side" during this period<sup>5</sup> attempting, often in vain, to maintain a majority. On a disputed election he and Craggs failed to carry their motion for adjournment and walked off : but "though the chiefs were gone" the underlings carried on, and suffered further defeat.<sup>6</sup>

Meanwhile Aislabie began to concern himself more directly with Treasury problems. His first adventure into those realms did not meet with conspicuous success. In August 1717 the Treasury Board had ordered Sir Isaac Newton, the Master of the Mint, to present a report on the state of the gold and silver coin of the kingdom. Newton presented it on September 21st, and in it he reviewed the relative value of gold and silver from France to Japan in an attempt to show why there had been a drain on the silver specie of England.

"By the course of trade and exchange between nation and nation in all Europe, fine gold is to fine silver as 15 to 1 ; and a guinea at the same rate, is worth between 20s. 5d., and 20s. 8½d. . . and it appears . . . that silver flows from those places where its value is lowest in proportion to gold. It is the demand for exportation which has raised the price of exportable silver above 2d. or 3d. in the ounce above that of silver in coin . . . If gold in England, or silver in East India could be brought down so low as to bear the same proportion to one another in both places, there would be here no greater demand for silver, than for gold to be

<sup>1</sup> *H.M.C. Portland Papers*, Vol. V, p. 547.

<sup>2</sup> See above.

<sup>3</sup> *Parl. Hist.* Vol. VII, col. 466-468. June 4th, 1717.

<sup>4</sup> *H.M.C. Stuart Papers*, Vol. V, p. 301. *H.M.C. Portland Papers*, Vol. V, p. 545. *Parl. Hist.* Vol. VII, col. 505-523.

<sup>5</sup> *H.M.C. Portland Papers*, Vol. V, p. 547.

<sup>6</sup> *Ibid.*, p. 577. Jan. 18th, 1719.



exported to India . . . and to compass this last, there seems nothing more requisite than to take off about 10d. or 12d. from the guinea."<sup>1</sup>

Aislabie did not agree with Newton's *laissez-faire* conclusion which was "that if things be let alone till silver money be a little scarcer, the gold will fall of itself for people are already backward to give silver for gold." On December 20th, he raised the matter in the House. He agreed with Newton's diagnosis but proposed "that a speedy remedy" might be found for "that growing evil by lowering the value of the gold species."<sup>2</sup> Mr. Caswall of the Sword Blade Company supported him and the Commons presented an address to the King asking that it be forbidden to exchange guineas at more than 21s.; sixpence less than the current rate.<sup>3</sup> This policy had failed by January "through the covetousness of some monied men" who had hoarded up silver in hopes that the price would be raised. Hence silver became scarcer still and Parliament had to withdraw its plan for lowering the value of gold and substitute a bill for preventing the melting down of the silver coin.<sup>4</sup>

Although Aislabie's policy with regard to specie had failed, on March 20th, 1718 he was granted "the office of Chancellor of the Exchequer To hold the same by himself . . . with all Fees, Wages, Liveries, Rights, Profits, Advantages, in room of James Stanhope . . ." With it he also held the post of Under-Treasurer of the Exchequer.<sup>5</sup> The appointment necessitated re-election<sup>6</sup> for which he prepared by writing "a great many obliging letters to several people" at Ripon "wherein he tells them he is mighty glad that he will have it in his power to serve them more than ever, and that he shall always prefer their interest to that of his own. His steward has been about the town to solicit their interest and votes . . ."<sup>7</sup> So wrote a contemporary observer. He attempted to serve them well in 1720 by admitting them to his subscription list for the South Sea Company but it was a service they would have been richer without.<sup>8</sup>

The new "Lords resolved to sit on Tuesdays, Wednesdays, Thursdays and Fridays and not on Saturdays or Mondays unless upon Extraordinary occassions."<sup>9</sup>

<sup>1</sup> Newton's Reports. Presented to Lords Comrs. of Treasury 21 Sept., and 23 Nov., 1717. Reprinted *Parl. Hist.* Vol. VII, col. 526 to col. 530.

<sup>2</sup> *Parl. Hist.* Vol. VII, col. 523, 524.

<sup>3</sup> Proclamation of 22 December, 1717.

<sup>4</sup> *Parl. Hist.* Vol. VII, col. 530.

<sup>5</sup> *P.R.O. Signet Office. Docket Book*, 6821, March 1717/18.

<sup>6</sup> Official Returns, 4 April, 1718 Ripon.

<sup>7</sup> *The Wandesfordes of Kirklington*, p. 301. Agent's letter to Viscount Castlecomer. March 28, 1718.

<sup>8</sup> See below.

<sup>9</sup> *P.R.O. Treasury Minute Book*. T. 29, 24, part 1. March 22, 1718. Lord Sunderland was First Lord. The others were John Wallop, George Bailie, William Clayton, and Aislabie.

One of their first acts must have pleased Aislabie for on April 3rd, they admonished Sir Isaac Newton "to hasten the passing of the Indentures for Coyning Gold and Silver." Apparently their admonishment passed lightly over Newton for in December he is still being asked for an explanation of the delay in making quarter guineas.<sup>1</sup>

The departmental duties of 1718 were of a very varied nature and must be seen against the background of the times. The change of ministry in 1710 had heralded an era of prosperity which lasted from 1711 until well into 1718 and even into 1719. Trade matters and the administration of all sorts of odd government possessions were brought before the Treasury Board for decision and judgement.

Tin, Customs and Salt were only three groups that caused trouble to the new Commissioners. There was a stock of tin from Queen Anne's reign deposited in the Tower and it was being sold to pay off sundry creditors of that lady. They were still awaiting payment four years after her death and were told that "when any money arisen by the sale of her late Maj. Tyn comes into the Exchequer"<sup>2</sup> they would be paid. Sir Theodore Janssen, a South Sea director and City magnate, had a contract to sell the tin dating from October 1717. In May following, the treasury board suspected that an "advantage to particular persons" had been created at the expense of the Exchequer by the manner in which the auctioning of some 500 tons of tin had been advertised.<sup>3</sup> Mr. Baranger, Dr. Fauquiere, Mr. Nicoll, Sir John Lambert and Janssen were the agents involved and were ordered to report on their activities.<sup>4</sup> Both Lambert and Janssen were later prominently connected with the South Sea affair and it is significant that at this time Aislabie retained his suspicious attitude towards them which he had shown in his speeches the previous year. In fact he never lost his suspicion, which was well founded. The trouble lay in the fact that they knew more about finance than he did for he had not the knowledge with which to support his prejudice.

The Salt Duties had "fallen short for several years past"<sup>5</sup> and the Chancellor ordered "the Salt Commissioners to lay the State of Revenues and propositions for improving the Salt Dutys" before the Board. Within a month this had been done<sup>6</sup> when a proposed Bill was discussed and amended by the Treasury Board. The following February the Treasury Lords bowed before several

<sup>1</sup> *P.R.O. Treasury Minute Book*. T. 29, 24. Part 1. 20th Dec., 1718.

<sup>2</sup> *Ibid.*, June 29th, 1718. Accounts for each reign were self contained. Therefore Queen Anne's debts had to be paid out of her assets. There is an interesting case of printing debts for parliamentary committee reports on the death of Geo. 1, in *Treasury Papers*, CCLXVI, 14, in the *P.R.O.*

<sup>3</sup> *P.R.O. Treasury Minute Book*, op. cit. 13th and 30th June, 1718.

<sup>4</sup> *Ibid.*, Dec. 5, 1718.

<sup>5</sup> *P.R.O. Treasury Minute Book*. T. 29, 24. Part 1. June 27, 1718. For background and detail of this problem see Hughes : *Studies in Administration and Finance*.

<sup>6</sup> *P.R.O.* op. cit. July 22nd, 1718.



M.P.s from Cornwall, Devon and Norfolk who were alarmed at the prospect of a growing bureaucracy under a clause "which directs that all fish should be cured in the presence of an officer." Mr. Vincent, their spokesman, conceived it to be "impracticable upon the account of the great quantity of Fish caught and cured alone, and the same time almost every person in the Fishing Towns being employed in the same work which will require a number of officers almost equal to that of the inhabitants."<sup>1</sup> Before such an argument the Commissioners "altered that clause." The Treasury was not content to pass Acts. With real administrative wisdom their Lordships wanted to know what actually went on. They demanded reports on the working of the Act from the Salt Commissioners the following October. They were interested to know what "good effects they may have observed to arise from the Act."<sup>2</sup>

Questions of trade which came before the Board often required quasi-judicial decisions. The late Attorney-General had given his opinion that duty was payable for the East India Company Stores sent out to India. On representations being made to the Treasury Lords the Solicitor-General and Attorney-General were ordered to reconsider the ruling. As to wrappers on imported goods on which duty was being charged "their Lordships do not apprehend that any duty ought to be demanded for same provided not more than are necessary are imported."<sup>3</sup>

A rather more serious complaint was that of the weavers against the East India Company. The conflict had existed as long ago as 1697 when the weavers demonstrated at Westminster against the importation of silk by the Company.<sup>4</sup> In December 1719 the problem was one of trying to "ease the weavers of the hardships they lye under" and at the same time give the Company "all the assistance and encouragement that can be thought of."<sup>5</sup> The importing of 'stained calicoes' was represented by the Company as essential to the maintenance of an export trade<sup>6</sup> to India, but the weavers complained that there was not sufficient employment for all their apprentices in view of "the great difference in the charge of Workmanship between those made in India and here." It was eventually agreed that some distinguishing mark should be stamped on the imported cloth "with a great penalty upon those who counterfeit."

The Chancellor took the opportunity presented by the presence of Sir Gregory Page and Mr. Dawson of the Company to raise the matter of pepper. Here again his concern with income

<sup>1</sup> *P.R.O.* op. cit. Feb. 20, 1718/19.

<sup>2</sup> *Ibid.* Oct. 28, 1719.

<sup>3</sup> *Ibid.* April 24, 1718.

<sup>4</sup> *The Portledge Papers*, ed. Kerr & Duncan, p. 249.

<sup>5</sup> *P.R.O. Treasury Minute Book.* Dec. 14th, 1719.

<sup>6</sup> Page maintained that the maintenance of all the Coy's settlements on the coast of Coromandel depended on the trade, that prohibition of Indian would only let in Hamburg and Dutch as had happened under prohibition in 1702.

is apparent. The additional duty of 10% on pepper had produced less in the years 1713 to 1719 than "the half subsidy without any drawback" in the years 1705 to 1712 when £19,173 was produced. He proposed to them "whether a duty of 3% per lb. more than the half subsidy . . . would not be a means to secure the trade."<sup>1</sup>

Two administrative details ordered soon after Aislabie became Chancellor will show the care for details shown. On April 24th, 1718 it was ordered "that all Memorials or Demands for money from any Treasurer or Paymaster etc. are to be entered in the Treasury Books with the Minutes upon them and the Memorials themselves to be kept in the office." On June 20th, "that when any orders of Loans are signed by their Lordships the day on which the interest on the same commences together with the names and sums total be entered in ye Minute Book."<sup>2</sup>

The following resolution showed good intentions but probably remained nothing more: "My Lords being apprehensive that in cases where officers under their power are allowed to resign their offices to the admittance of other particular persons sums of money are given in consideration thereof, do resolve not to consent to any such resignations for the future."<sup>3</sup>

The position of Chancellor of the Exchequer was not well defined in the early eighteenth century. This enabled Aislabie to present specious arguments about his responsibilities when he had to face charges during the aftermath of the South Sea affair. He claimed not to have responsibilities beyond those of an ordinary Commissioner of the Treasury or Member of Parliament. In strict legal fact he may have been correct. The members of both Houses however, felt he was quibbling and were right in their insistence on a moral obligation even where no legal obligation existed. They saw that responsibility must lie somewhere if the constitution were to work. In working practice it lay with him. His work at the Treasury from 1718 to 1721 shows this.

While their Lordships sat daily at the Treasury the Commons sat also. The Government were attacked rather petulantly by the two Walpoles for the Quadruple Alliance and for attacking the Spanish Fleet. Craggs, Lechmere and Aislabie were called on to answer Shippen's charges that the "war seemed to be calculated for another meridan"—his way of referring to Hanover.<sup>4</sup> The Act for Strengthening<sup>5</sup> the Protestant Interest received Aislabie's vote. The Peerage Bill demanded his voice as well but with little effect. Lechmere was honest enough to admit that he did not like the bill, but he thought it ought to be committed so that it could be altered! Robert Walpole really<sup>6</sup> killed it. He made a

<sup>1</sup> *P.R.O. op. cit. ibid.*

<sup>2</sup> *P.R.O. Treasury Minute Book.* April 24 and June 20th, 1718.

<sup>3</sup> *Ibid.* July 22nd, 1718.

<sup>4</sup> *Parl. Hist.* Vol. VII, col. 582. Dec. 17, 1718.

<sup>5</sup> *Ibid.*, col. 585. Jan. 7, 1719.

<sup>6</sup> *Ibid.*, col. 619-624.



masterly analysis of its faults and the principles involved. It was after what was obviously the finest speech of the debate that Aislabie spoke. He did not answer any of Walpole's points but was content to make a minor and largely irrelevant point. Answering "a material objection that had been raised against the bill viz., that it was dangerous to make any Innovation in the Constitution;" he made it appear "that several alterations had been made in the original Constitution by Magna Charta, the Habeas Corpus Act, and several other laws, made for the benefit of the subject, and upon the whole was for committing the bill."<sup>1</sup> After Walpole's speech the ministry had no hope and the bill was rejected by 269-177.

There were schemes abroad, however, which were to be more dangerous to the subjects of George I than the proposed alterations in the structure of the House of Lords.

### THE FATAL SCHEME.

The South Sea Bubble was not, as it is frequently presented as being, in text books, an isolated event. "The Governors and Company of the merchants of Great Britain trading to the South Seas and other parts of America and for Encouragement of the fishing" was incorporated in 1711.

The similarity of its foundation and that of the Bank of England is close.<sup>2</sup> Unfunded government obligations were at a great discount, some 60% of par, at this time. It was decided that these should be accepted, at their nominal value, as capital for the stock of a trading company. The capital was to be permanent but redeemable.

The foundation of the company "represented the culmination of a financial policy (which was common to both political parties), which had been in vogue since the Revolution of 1688. On the one side there was the idea of the utilization of capital lent to the State as a 'fund of credit' on which loans could be raised by an incorporated body for its trading operations."<sup>3</sup>

It was a method agreeable to both Government and subscribers for if these floating debts were funded they might be discharged in the future and meanwhile would probably earn 6% which might increase with trading profits. This briefly is the origin of the South Sea Company.<sup>4</sup>

<sup>1</sup> *Parl. Hist.* Vol. VII, col 619-624, and *Historical Register*, Vol. V, 1720, p. 18. Dec. 7, 1719.

<sup>2</sup> W. R. Scott, *Joint Stock Companies to 1720* has best account. Vol. II, pp. 388-438. Vol. III, pp. 288-360., for the origins of the Company and the progress of 'the Scheme'.

<sup>3</sup> Scott, *op. cit.* Vol. II, p. 389.

<sup>4</sup> See : K. Feiling, *History of Tory Party 1640-1714*, p. 431 fol. Jean McLachlan, *Trade and Peace with Old Spain*, p. 46 fol. *Parl. Hist.* Vol. VI, col. 1023.

£9,471,325 was funded at 6%, the £568,279 necessary for annual charges being raised by duties on wines, vinegar, tobacco, India goods, silks, whale fins, etc.<sup>1</sup> From the South Sea Trade the shareholders hoped to get more than the government-paid 6%. It was therefore essential that, in the peace negotiations of 1712-13, the British Government secured the concession of 'the Asiento.' "This was a treaty or contract between the King of Spain and her Majesty who undertook that in thirty years certain persons whom she would appoint should bring into the Spanish West Indies of America belonging to the King 144,000 negroes, at the rate of 4,800 per year; the Assientists paying to the King 33 $\frac{1}{3}$  pieces of eight for each of the negroes."<sup>2</sup> On March 26, 1713 the Asiento Treaty was signed. Territory on the Plate River was granted where the negroes might be rested on their voyage from Africa (such was the care bestowed on so valuable a cargo) and one ship of five hundred tons was allowed to trade each year to the Spanish Indies for general trade.

The Treaty of Commerce was not signed until July 13, 1713 and it was this treaty which Aislable attacked in his notable speech. It involved the merchants trading to Old Spain who had innumerable complaints and demands about tariffs and<sup>3</sup> civil rights there. During the Spanish Succession war the French had gained a firm foothold in both Old Spain and in the Asiento trade which affected trade for several years to come.

With the advent of the Whig government in 1714 fresh negotiations with the Spaniards resulted in Bubb Doddington's more favourable treaties of 1715 and 1716. By the latter the South Sea Company was to have notice of fairs, date of convoy departures, and was to be allowed to send a larger ship each year to make up for tonnage not sent in previous years.<sup>4</sup>

Aislable, whilst a Commissioner of Admiralty, knew how close were the relations of the government and the South Sea Company. There were special provisions in the South Sea Act for the navy<sup>5</sup> whose debts were taken over. Moreover, the government had been large subscribers to the company.<sup>6</sup>

In spite of the aid and keen support of the ministers the Company had never been keen on the Asiento. Bolingbroke, on

<sup>1</sup> Coxe, *Walpole*, Vol. I, p. 218 fol.

<sup>2</sup> *P.R.O. Treasury Papers* CLXXVI 28. Some 100 pages of papers connected with the Asiento giving details of how the Asiento was to be carried out. The prices of negroes were to vary from place to place; no offence to Catholic religion to be given; Admiralty vessels allowed to be used, etc.

<sup>3</sup> Jean McLachlan, *op. cit.* for the details of these. The Spanish price-fixing and inspections, etc. . . troubled them.

<sup>4</sup> *Ibid.*, *op. cit.*

<sup>5</sup> *P.R.O. Treasury Papers* CLVII 17. "Explanation of S.S. Act as to provisions for the Navy."

<sup>6</sup> Brit. Museum. Harl. MSS. 7497. Subscription List. Chan. of Exchequer £3,002. 9s. 6d. Tr. of Navy £168,100. Her Majesty. . . £138,265. 9s. 1d.



February 5th, 1713 had had to write to them to "hurry up in making up their minds as the Treaty was to be ratified in a few days."<sup>1</sup> In July he explained to the Lords of the Admiralty that they are "to supply the Warwick and the Anglesey for the S.S. Coys use and that they are to be fitted manned and victualled at Her Majesty's Expense" . . . "because the Expense would go a great way towards Eating out the profits and that which her Majesty designs as a favour and Encouragement to her Subjects would in this manner prove of little or no advantage to them . . . the Queen further considers that so valuable a Cargo is not on any Account to be trusted without a Convoy and therefore that even if the Coy should find their own yet still her Maj. expence would come to be pretty near the same. This is a precedent not to be followed but necessary to be made the first time . . ."<sup>2</sup>

The scheme was a fiasco in spite of what was really a government subsidy. The Company were "insolent fellows and had no scheme of anything" Bolingbroke thought in June 1714.<sup>3</sup> He appears to have been correct in his judgement for they were incapable of appreciating the situation in the trading areas even when distinctly told the position by their agents. The following amusing episode is typical.

In September 1714 Mr. Sardis, the Coys agent at Madrid, advised South Sea House that no goods should be sent to Carthegena as it was full of French goods and "as the Coy can only sell at fairs and none likely for two years" the goods "would be shut up in warehouses til the fair were held with the danger which is known of their being spoiled especially the Woole Commoditys which are liable to be motheaten."<sup>4</sup> He therefore advised them to send them to Vera Crux where "there is a want of all sorts of Goods."

In spite of this the goods were sent, so that three years later the Company had to apply to the Admiralty for aid in moving the goods.<sup>5</sup> The Lords of the Admiralty sent to the Captain of the Diamond at Jamaica that "the greatest part of the goods which were carried to Carthegena in the year 1715 in H.M. Ship Bedford . . . remain still there unsold, and consisting chiefly of the Woolen manufactures of this kingdom are subject to the moth and other vermin which abound there."<sup>6</sup> Just in fact as Mr. Sardis had foreseen. The Diamond and the Ludlow Castle were ordered to take them to Porto Bello.

Not only were the Company inefficient, they were dishonest too. Mr. Moore, a director and an M.P., had attempted to get

<sup>1</sup> Brit. Museum, ADD. MSS. 25,562. Book of Special Letters.

<sup>2</sup> *Ibid.*, ADD. MSS. 25,562. 17th July, 1713.

<sup>3</sup> *Ibid.*, ADD. MSS. 25,562. 15th June, 1714. This after the Moore affair. See below.

<sup>4</sup> *Ibid.*, ADD. MSS. 25,562. Sept. 10, 1714.

<sup>5</sup> *Ibid.*, ADD. MSS. 25,555. Home Letters and Memos. Jan. 10, 1717.

<sup>6</sup> *Ibid.*, ADD. MSS. 25,562. Jan. 13, 1717.

goods of his own onto the Anglesey as she lay at night in the Downs. Captain Johnson of the ship reported to the Treasury and Moore was declared "guilty of breach of trust and incapable of serving in the office of director."<sup>1</sup>

The financial activities of the Company in the period 1711 to 1720 are summarised in the following report drawn up for the House of Lords in 1721 :<sup>2</sup>

*"Extract of Severall Commissions for taking in Sub. to the South Sea.*

1. 1711, 27 June. Erection of Corporation to Trade to the S. Seas. 22 June, 1711.
2. 25 June, 1711. Empowered to take in subs. to the 25. 12. 1711.
3. 4 March, 1711 Empowered to take in subs. to the 24. 6. 1711.
4. 12 Feb. 1712. Empowered to take in subs. to Sept. 1713.
5. 22 Sept. 1713 Empowered to take in subs. to Dec. 1713.
6. 24 Dec. 1713. Empowered to take in the Nevis and St. Christophers Debentures.
7. 24 April, 1719 Empowered to prepare Books for Subs. of the Tickets of the Lottery 1710.
8. 6 May, 1720 Appointed Managers for putting S.S. Act into effect."

The Act of Anno 3 Geo. I, c.9 is omitted from this list.<sup>3</sup>

The seventh item on this list is very significant. As yet, in 1719, the Company had found no outlet for its resources. Even where trade had existed it was now at a standstill. The stock of the company, £10,000,000, was merely so much government debt. The outbreak of war with Spain in 1718 had curtailed foreign business generally so that capital became plentiful at home and the rate of interest fell accordingly from 6% in 1716 to 5% in 1718. In July 1718 the Bank had lent £100,000 at 4% and the Company did the same in December.<sup>4</sup>

The Company were hoping for their reward at the end of the Spanish War. The King assured them of his concern : "In the differences lately arisen with the Court of Madrid you may be assured I have had at heart the Security of the Trade of my subjects and I hope whenever the Catholic King shall think fit to put an end to them you will see our Treaties so confirmed . . .

<sup>1</sup> *P.R.O. Treasury Papers*, CLXXVIII, for the report and papers.

<sup>2</sup> House of Lords MSS. Temp. Ref. Parchment Collection. Bundle 43. No. 8. See Note in bibliography re these MSS.

<sup>3</sup> See above.

<sup>4</sup> *P.R.O. Treasury Minute Book*, July 14, 1718. Brit. Museum, ADD. MSS. 25,498.



that the Trade . . . will no longer be subject to the many violent Treatments of which you so justly complain.”<sup>1</sup>

The year 1719 was one of low interest and plentiful capital. The preconceived notions of a fund of credit were dangerous in such circumstances for the extension in the use of credit was a comparatively recent innovation and where it had been used it had impressed by its results. Business was extended and something like a miracle was expected, for the process was thought to be capable of infinite extension. As Scott puts it “The crisis of 1719-20 constitutes simply the attempt to realize an unconscious ideal of the indefinite expansibility of a fund of credit.”<sup>2</sup> The 1711 funding of the South Sea Company “was the most ambitious development of the idea of the fund of credit”<sup>3</sup> and the South Sea Bubble was the apotheosis of this theory. The importance of the conversion of the 1710 Lottery lies in the idea and its success, for it seemed to imply that a stock company could take over public loans into its stock with profit to all concerned. The company in this case made £72,800. The scene was therefore set for the drama of the next eighteen months.

The Session of 1719-20 opened on November 23rd, when the King’s Speech exhorted the Commons “to turn your thoughts to all proper means for lessening the Debts of the Nation.” The controversy over the Peerage Bill took up most of December, so it was not until after the Christmas recess that the debts came up for discussion.

It is not possible to see John Aislabie’s part in the South Sea Scheme in perspective without some description of its history, but a brief account must suffice here.<sup>4</sup>

There were two groups of government debts which it was proposed should be taken over by the Company as part of their stock. It was rather like compensation for nationalisation in reverse. In one group of debts were unredeemable annuities originally granted for 99 and 96 years, plus what had not been subscribed to the company already of the 1710 Lottery. The capital value of these was £15,000,000 (in round figures). In the second group were redeemable 4% and 5% annuities valued at almost £16,000,000. The total increase in the Company’s stock was to be some £30,981,712. On this the government were to pay the present interest charges until 1727 in which year the whole sum was to carry 4%. This would be a saving for the government

<sup>1</sup> *P.R.O. Treasury Minute Book*, July 14, 1718. Brit. Museum, ADD. MSS. 25,562. Letters of Sept. 24, 1718. Nov. 4, 1718. 27 Dec., 1718.

<sup>2</sup> Scott, *op. cit.* Vol. II, p. 397.

<sup>3</sup> *Ibid.*, p. 398.

<sup>4</sup> The sources are numerous. *Treasury Papers*, CCXXXI 3, contain immediately relevant matter. ADD. MSS. 25,498; 25,499; 25,555; 25,562; are South Sea Company Minutes and Letters. *Historical Register*, 1720 p. 24 fol. and *Parl. Hist.* Vol. VII, p. 628 give good accounts from contemporary sources. Scott, *op. cit.* Vol. II, p. 400 fol. Lewis Melville: *South Sea Bubble*, is an unscholarly account apparently compiled from *Hist. Mss. Commission* reports.

of some £420,000 per year in interest charges. As well as this the Company was to pay the government a lump sum of £3,500,000, "for the liberty of increasing their capital stock." It is not easy to see how the Company were going to profit from the transaction at first sight. Scott sums up the crux of the scheme excellently: "While the nominal capital was increased *pari passu* with the debt exchanged, there was no stipulation as to the price at which the company's stock should be rated for the purpose of that exchange. Obviously if, as in 1719, the stock were at a premium, the quantity of S.S. Stock required to satisfy the holders of government loans would be less than that which the company was authorised to create. Therefore, such surplus stock would constitute the gross profit on the transaction for the company. The proceeds of the sale of that surplus stock at the premium would be the gross cash profit, from which was to be deducted the bonus payable to the State, and any balance remaining would constitute the nett gain."<sup>1</sup>

It must be remembered that it was difficult to float a company at this time, a special charter being needed. As there was demand for investments, any company which had a charter and was allowed to increase its stock was in a privileged and strong position. Companies with old charters for certain trades were actually carrying on new trades under their old charter, quite illegally, when they could not get new charters for their new activities.

In order that the South Sea Scheme should pay its way, it was necessary to maintain the price of its stock at least as high as 124.<sup>2</sup> At that price the payment of £7,567,500 to the state would be raised but there would be no profit for the Company. It was, therefore, the interest of the Company to keep the stock as much above 124-125 as possible. The higher it went the more profit would the Company make. The more profit it made the more valuable would be its stock. It is easy to see how the 'fatal scheme' developed once it started on its rise.

There was a possibility that it might not be possible to sell the 'surplus stock' as there might not be the capital available to take it up, for new companies were being floated early in 1720 in large numbers. On February 22nd, before the South Sea Bill was presented, but after the proposals had been accepted, Mr. Hungerford complained in the Commons of "several publick and private subscriptions for several unjustifiable Projects and Undertakings, whereby great Mischief might accrue to the Public."<sup>3</sup> A committee was set up to inquire into these matters. Neither

<sup>1</sup> Scott, *op. cit.* Vol. II, pp. 408-409.

<sup>2</sup> £31 million total stock taken in. £7½ million to be given to the State. The former sold at 124 would give a profit of the latter. (approx). The 2nd Proposals of the Coy offered £7½ millions and these were the ones finally accepted. See below.

<sup>3</sup> *Historical Register*, 1720, p. 44. *Journals of the House of Commons*, XLX, p. 274.



the S.S. Company nor the government behind it liked these new ventures which were a real threat to the success of the scheme they had jointly planned.

On January 22nd, 1720 the propositions of the South Sea Company were presented to the Commons. Thomas Broderick insisted that the Bank of England should also be allowed to present a scheme. This suggestion embarrassed Aislaby. "Our great men looked as if thunderstruck" wrote Broderick<sup>1</sup> "and one . . . in particular turned as pale as my cravat . . . our ministers spoke again and again . . . Mr. Aislaby, in heat, used this unguarded expression : Things of this nature must be carried on with spirit; to which sir Joseph Jekyll . . . took . . . exception; This spirit, says he, is what has undone the nation; . . . Mr. Aislaby desired to explain; said he only meant that credit was to be supported; which caused some smiling . . ." Already there were rumours of corruption for Broderick continued "The town says, the bargain with the South Sea Company was agreed at his" (Lechmere's) "chambers, between Mr. Aislaby, sir George Casell and three or four other South Sea men; since which they say Mr. Aislaby has bought 27,000£ stock."

The debate on these first proposals ended in a veritable cat and dog fight between Lechmere and Robert Walpole. It was decided by the Commons to allow the Bank to present proposals. Aislaby in his speech in his defence before the Lords in July 1721 maintained that he opposed these several proposals because he foresaw the result of there being competition for the privilege of carrying through the scheme. He proposed that it be divided, so he claimed, between the Bank and the Company, but Sir John Blunt refused to "divide the child." From this time onwards he claimed to have been in favour of dropping the scheme, for the result of the competition was to increase the lump sum payment to the government to £7 million pounds and he did "not see how the South Sea Company could go through with it, if they were to give any more money for it."<sup>2</sup> If he really thought this he ought to have resigned and not merely to have kept quiet which is what he claimed to do.

In actual fact, when the Bank proposals were debated on February 1st, 1720,<sup>3</sup> "Robert Walpole was the chief person who stood up for the bank; but Mr. Aislaby Chancellor of the Exchequer made it appear that the proposals of the South Sea Company were more advantageous to the Public and it was at last resolved that Proposals of the South Sea Coy be accepted."<sup>4</sup>

<sup>1</sup> *Parl. Hist.* Vol. VII, col. 832-834.

<sup>2</sup> *Ibid.*, col. 884.

<sup>3</sup> 1st Proposal of S.S. Coy. presented 22 Jan., 1720. 1st Proposal of Bank presented 27 Jan., 1720. 2nd Proposal of S.S. Coy. presented 1 Feb., 1720. 2nd Proposal of Bank presented 1 Feb., 1720.

<sup>4</sup> *Historical Register*, 1720, p. 35. The actual proposals are printed in: *Hist. Reg.* 1720, p. 24-40. *Parl. Hist.* Vol. VII, col. 630-640. *Annual History Parl. Debates*, Vol. VII, 1717-1721.

Aislabie was here supporting proposals which in his own words he "did not see how the South Sea Coy could go through with."

On the 17th March he presented<sup>1</sup> the Bill giving effect to the proposals. Its second reading passed by 201-31. Two days later in committee there was a close fight over a vital point. A motion was put down that "it might be fixed and determined what share or shares of and in the to be increased capital stock of the said company, the proprietors of the said annuities should be entitled . . . who should voluntarily subscribe the same into the said stock, or how many years purchase in money they should have and receive upon subscribing . . ."<sup>2</sup>

A six hour debate ensued between those who thought the annuitants (as the holders of the annuities were called) should not be left at the mercy of a private company and the government spokesmen, Aislabie, Pelham, Yonge, Jekyll, who contended that "the obliging the S.S. Coy to fix a price . . . might endanger the success of so beneficial an undertaking." They said that the company would obviously offer advantageous terms to encourage the annuitants to come into the scheme but conceded that if this proved not to be so "in a subsequent session" etc. redress could be given. This "jam to-morrow" argument hardly mislead the House which rejected the motion by only 4 votes. It was a very narrow majority on an important point for if a price had been fixed the profits of the Company would have been curtailed and the temptation to push up the price of stock might have been curtailed. On the other hand it might be argued that the opposite effect might have ensued in order to make as much as possible on the non-controlled stock. On April 2nd, the Bill passed the Commons by 172-55. In the Lords it passed on the 7th of the same month after Lord North and Grey and the Duke of Wharton had made excellent speeches against the Bill, pointing out exactly what would and did occur.<sup>3</sup>

There can be no doubt that Aislabie must be held responsible for this Act.<sup>4</sup> He had been in contact with the Company about the scheme in 1719 concerning the 1710 Lottery and from August 1719 to January 1720 he was in correspondence with the Company's Court. Moreover, as we have seen he piloted the proposals and the Bill through Parliament.

His claim to have been opposed to the scheme is mere naivety with which he hoped to mislead and gain the sympathy of the Lords. If he really thought the scheme was not practicable he should have said so publicly if he wished to retain an honourable character. There is no sign that he did think this, however, at the time, and it appears to have been thought of later as an excuse and vindication.

<sup>1</sup> *Historical Register*, 1720, p. 113, cf. *Parl. Hist.* and the *Annual History* which have no report of this. <sup>2</sup> *Parl. Hist.* Vol. VII, col. 644-45.

<sup>3</sup> *Historical Register*, 1720, p. 183.

<sup>4</sup> Brit. Museum ADD. MSS. 25,498. *South Sea Company Court Minutes*, Vol. V, especially 26 August, 1719, and 21 Jan., 1720.



## INCOMMODED AND STRAIGHTENED.

The South Sea Act having been passed, it was necessary to create conditions in which the scheme it involved could succeed. One of the most important factors was that of the floating of new companies. Scott has estimated that in January 1720 companies with a nominal capital of over £6 million were floated. In February the total for the month was £31 million.<sup>1</sup>

On the 12th March serious accusations were made against the Attorney-General, Lechmere, by his colleague Sir Wm. Thompson the Solicitor-General. He was accused of corruption over the granting of charters to companies.<sup>2</sup> "There were public biddings for charters as if at an auction" in his chambers according to Thompson.<sup>3</sup> Nevertheless, the Commons cleared him of the charges, and new companies continued to be floated.

The prevention of this growth should have been one of the concerns of the Treasury. As Hungerford realised they were a danger to the public as well as to the South Sea Scheme.<sup>4</sup> In spite of the Parliamentary Committee having been set up to inquire into them, Aislabie introduced a bill in May to allow<sup>5</sup> two companies to insure ships and merchandise. Walpole supported them for they were prepared to pay for the privilege.<sup>6</sup> This eased the Civil List, which had needed a silver plate duty of 6d. per oz. in February. On 13 June Sir John Williams and Sir Wm. Chapman<sup>7</sup> lent "£50,000 to be repaid out of the first third part of the money received from Assurance Company . . ."<sup>8</sup> The latter were themselves. On June 21st, they were sworn in as sub-governors of the Royal Exchange and the London Assurance Companies respectively, "before Mr. Chan. of the Exchequer."

Although the South Sea Act was not passed until April 7th, the price of the company's stock rose to around 300 on March 23rd . . . The first sale to the public was made on April 14th at 300,<sup>9</sup> followed by a further issue at 400 on the 29th April.<sup>10</sup> On May 19th, the terms for converting the irredeemable debts were announced<sup>11</sup> and the price of stock rose to 400. "The result of the conversion was that the company had succeeded in converting debt valued at nine and a half million pounds by issuing only three and a quarter million of stock. This left a gross profit in stock issuable by the company of 6¼ million. Of this, three and

<sup>1</sup> Scott, *op. cit.* Vol. II, p. 409.

<sup>2</sup> *Hist. Register*, 1720, p. 111.

<sup>3</sup> *Ibid.*, p. 115.

<sup>4</sup> See above.

<sup>5</sup> *Hist. Register*, 1720, p. 195. *Parl. Hist.* Vol. VII, col. 648.

<sup>6</sup> *P.R.O. Treasury Minute Book*. May 27, 1720. Does not give sums.

<sup>7</sup> He gave evidence to clear Lechmere! *Hist. Reg.* 1720, p. 114.

<sup>8</sup> *P.R.O. Treasury Minute Book*. June 13, 1720.

<sup>9</sup> Brit. Museum ADD. MSS. 25,499. *Court Minutes*, Vol. 6.

<sup>10</sup> Subscriptions were taken in as follows: The First, 14 April; The Second, 29 April; The Third, 17 June; The Fourth, 24 August. ADD. MSS. 25,499.

<sup>11</sup> Scott, *op. cit.* Vol. II, p. 412.

three quarter million had been actually issued for cash, payable in instalments, and would realise twelve and three quarter million pounds leaving a balance of issuable stock of  $2\frac{1}{2}$  million which, at 400, would produce another £10,000,000."<sup>1</sup>

From this date until June 24th, speculation was intense. The Directors of the Company instead of using the funds realised by the April conversion to pay the money due to the government, used it to make loans on the security of the stock of the company, so that there was money to take up more stock. This was a really outrageous practice which Aislabie seems to have been unaware of until he could not get any cash from the company.<sup>2</sup>

By June 24th stock stood at 1,050, and the notorious Third Subscription was taken in on the 17th. The money for all these subscriptions was taken-in in instalments and the profits of the company were in the distant future when all the subscriptions had been paid. As there was already a shortage of credit a relapse was inevitable as soon as the shortage became worse. Thomas Brodrick summed up the situation in uneconomic terms but with sound common sense: "I founded my judgement of the whole affair upon the unquestionable maxim that £10,000,000 (which is more than our running cash) would not circulate £200,000,000 beyond which our paper credit extended; that therefore, be the cause what it would, our noble state machine must inevitably fall to the ground."<sup>3</sup>

A proclamation on June 11th, about illegal companies did not prevent their growth in fantastic numbers and for even more fantastic purposes.<sup>4</sup> By June 24th even the Treasury Board was aware that something would have to be done but they were not quite sure what. The Law Officers were called in and ordered to "consider proper methods to stop the progress of the companies" and this they promised to do.<sup>5</sup> In spite of there being an Act in force<sup>6</sup> nothing was done about it until August 17th, when they were called in again before the Treasury Board and discoursed on the matter. "My Lords order a representation thereof to be made to the Ld Justices so as their Excys. may direct the Att. Gen. to bring a Writ of Scire facias against York Buildings, Lastringes, Copper Mines of England"<sup>7</sup> The intention of the issue of the writ was to strengthen the government's and the South Sea Company's

<sup>1</sup> Scott, op. cit. Vol. II, p. 412.

<sup>2</sup> *P.R.O. Treasury Minute Book*. Oct. 1, 1720.

<sup>3</sup> Coxe, *Walpole*, Quarto Ed. Vol. II. Sept. 27, 1720.

<sup>4</sup> List in *Parl. Hist.* Vol. VII, cols. 656-658. June 11th the King went abroad. Lord Justices of Administration were appointed. *Hist. Reg.* 1720, p. 25. Treasury Board changes were: Sir Charles Turner and Richard Edgumbe vice Wallop and Clayton. June 4th Robert Walpole became Paymaster. Rumours that Aislabie was to be made a peer were about: Thomas Harley to Oxford. *H.M.C. Portland Papers*, Vol. V, p. 597.

<sup>5</sup> *P.R.O. Treasury Minute Book*, June 24, 1720.

<sup>6</sup> Anno 6 Geo. I, c. 18.

<sup>7</sup> *P.R.O. op. cit.* Aug. 17, 1720, cf. Scott, op. cit. Vol. II, p. 425 where he attributes this action to the S.S.Coy.



position, but it was issued with little regard for stock-jobbing psychology.

Apparently unaware of the crisis which surrounded them, on August 18th (the day after the order for the writ which was to precipitate the fall was issued), the Treasury Board adjourned, presumably for their summer vacation, for later Aislabie claimed to be "in the North" on 25th August.<sup>1</sup> They did not meet again until September 20th, when the position had deteriorated considerably.

Instead of the legitimate companies being strengthened by the writ of scire facias their shares fell rapidly. From August 23rd to September 19th, South Sea Stock fell from 850 to 400. The drop in all company shares was equally great. Loans made on the previous rises in prices meant big losses when prices fell and people sold out South Sea Stock to cover losses in other companies. The loss of confidence occasioned by the issue of the writ had catastrophic effects on the artificially high prices of stock in August. In order to halt the fall the S.S. Company announced a dividend of 30% for the half year ending at Christmas to be followed by a 50% one after that ! But even these offers could not tempt those already stricken with panic and confidence waned further.

On September 8th a mutinous meeting of the General Court of the South Sea Company was held. Here Craggs Senior and Mr. Hungerford supported the Directors on their "prudent and skilful management."<sup>2</sup> This manoeuvre convinced neither Craggs nor the stock holders. About September 12th, therefore, Craggs began to engineer assistance from the Bank of England,<sup>3</sup> and a series of meetings were held. At the one on the 19th September, Aislabie was present. It was held at the house of Craggs Senior (The Postmaster-General) and there were present, Townshend (the Lord President); Mr. Secretary Craggs; and five directors from each body—the Bank and S.S. Company.<sup>4</sup> A proposal that the Bank circulate £3,000,000 of South Sea Bonds for a year was agreed to and the famous "Bank Contract" was arranged.

At meetings on the 27th September a subscription was opened at the Bank which led to a run on the goldsmiths, and the Sword Blade Company, the South Sea Company's bankers had to stop payments.<sup>5</sup> The 26th to 28th were days of panic. On the 27th the Treasury Board, only having been back a week from their holidays, "ordered the Commissioners of Revenue to attend . . . to exhort them to do their utmost in their several offices to

<sup>1</sup> His speech in his defence before the Lords. *Parl. Hist.* Vol. VII, col. 870.

<sup>2</sup> *Hist. Register*, 1720, p. 364.

<sup>3</sup> Meetings were held Sept. 15, 16, 19, 21, 23, 24, 28; Oct. 3, 4, 5. See House of Lords MSS. Parchment Collection, Bundle 43, No. 11.

<sup>4</sup> Brit. Museum ADD. MSS. 25,499. Sept. 20th and 29th, 1720.

<sup>5</sup> *Historical Register*, 1720, pp. 374, 377.

encourage the present subscription to the Bank.”<sup>1</sup> The next day they attended with “their brethren from other public offices” as well. “Mr. Chancellor recommends to them and to . . . other officers under them the advancing and encouraging the subscription for circulating Sealed Bills by the Bank . . . by subscribing themselves and exhorting their friends so to do.”

Such exhortations as these of Aislabie were useless in the situation which had developed. There was a complete breakdown of credit. Loans were almost unobtainable. The mentality of the politicians however was impervious to facts. Lord Bingley, a former Chancellor of the Exchequer and friend to Aislabie, wrote the following nonsense to the Earl of Dartmouth at this time:<sup>2</sup> “The fall of the S.S. Stock seems to give an opportunity of coming in to advantage . . . I told Lady Cardigan yesterday . . . that the Company had got the philosopher’s stone . . .” On October 1st he thought “the danger over . . . that the Bank will be able to support herself and that the ship wd be able to go to sea again.”<sup>3</sup>

In this situation tempers were short, blame was passed on. Recriminations between the government and the South Sea Directors followed. Aislabie became very angry. It was the anger of a bewildered man. On October 1st, Sir John Blunt, Sir Wm. Chapman, Sir Robert Chaplin “3 of the Trustees for Circulating Exchequer Bills and Directors of the S.S. Company attend” the Treasury board.

“Mr. Chancellour acquaints them, and Sir John Blunt in particular, that as the management of that office was entirely committed to their care, he and the rest of my Lords are at the greatest surprise at their negligence in not having made a proper provision in (?) Ctte (?) to perform their part of the Circulation according to solemn agreement between their Lordships and them and the repeated exhortations they have received to make a provision for that purpose, and the many assurances my Lords have received of them that they were enabled so to do.” Aislabie felt he had been deceived, and was about to be completely deserted by them. He continued “that the Deposit of a Bank Bill of £52,000 in part which they offer to make is utterly ineffectual and of no use, and will not enable them to perform the least part of their contract, considering the present posture of affairs, without endangering the Credit of the Whole Nation; that it is hardly to be imagined that after a receipt of £2,500,000 and upwards for Subscriptions, they should not be able to furnish £50 out of their Treasury towards a service they have agreed by Contract to perform, and are so little capable of acquitting themselves of their great promises to this Board of supporting public Credit and furnishing money for the Current Service upon any Exigency or demand from the Treasury they are not in the least capable of

<sup>1</sup> *P.R.O. Treasury Minute Book*. Sept. 27, 1720.

<sup>2</sup> *H.M.C. Dartmouth Papers*, p. 325.

<sup>3</sup> *Ibid.*



performing their own contract.” Pointing out the contrast between the mismanagement of the Company and the good management of the Exchequer, he concluded, “this Board hath taken the proper caution . . . to support the Credit . . . by . . . having a much greater Cash than is necessary to support their proportion of the circulation.” He then gives us a glimpse of his and the world’s fears: “That he chose rather to mention this verbally rather than by publick letter, lest the world’s being acquainted with their carelessness and mismanagement might heighten the diffidence and distrust mankind hath of them. He further admonishes them to call a Court this evening, and to consider of all ways and means that can be thought of to raise their proportion in specie, but to take especial care that the methods they shall think the most proper to use do not in any wise affect the Credit of the Bank.”<sup>1</sup>

Five days later the King’s subscription to the Bank of £100,000 (by Treasury warrant) was advertised in the “Courant” in a further effort to encourage confidence.

By clause 12 of the original South Sea Proposals, the Company undertook to circulate £1,000,000 of Exchequer Bills gratis. They now tried to raise money by increasing interest on these. On the 5th October, the Chancellor dined with some of the South Sea directors to talk about this matter, and in the evening Townshend, Secretary Craggs and Aislabie “agreed that the interest . . . should be advanced to 2d. Diem or 3% Provided the same can be lawfully done.”<sup>2</sup> But the next day, when Gibbon and Gore attended the Treasury Aislabie told them that they certainly could not have more than 2d. per diem interest. The following day, Blunt came and accepted this ruling.<sup>3</sup>

But money was scarce<sup>4</sup> and the Chancellor was attempting to raise and save it by all means. The result was that those who had dealings with him in this period, had very short shrift from him. The Treasury Board must have been approached with trepidation by those who had business there.

The Commissioners for Forfeitures, in charge of the forfeit estates of the rebel lords of the '15, were recommended to hasten their affairs. Aislabie advised them to threaten the purchaser of some forfeit estate with the loss of the money already paid unless he paid the outstanding amount. Payment by instalment was insecure in the eighteenth century if your payments lapsed.<sup>5</sup> On the 13th October the Royal Assurance Company was shortly dealt with when Sir John Williams proposed to deposit tallies instead of cash as payment for their charter. “Mr. Chancellor

<sup>1</sup> *P.R.O. Treasury Minute Book*. Oct. 1st, 1720.

<sup>2</sup> House of Lords MSS. op. cit. No. 11.

<sup>3</sup> *P.R.O. Treasury Minute Book*. Oct. 7th, 1720.

<sup>4</sup> On Sept. 23rd, 1720 there was only £300,000 in cash in the Exchequer. Of Exchequer Bills: £200,000 were outstanding and £1,600,000 were in the Exchequer. From Tellers Report in Minute Book of that date.

<sup>5</sup> *P.R.O. Treasury Minute Book*. Oct. 8th, 1720.

recommends to them the disposing of the annuities that they may make their payment at the time appointed and in the manner prescribed by the Act.”<sup>1</sup> But three days later, My Lords were in a better mood and were “disposed to indulge . . . to the utmost of their power” . . . “in this time of difficulty” the London Assurance. They offered £11,000 in cash, which probably pleased their Lordships and offered to deposit tallies for the remaining £39,000 of their debt.<sup>2</sup>

When Sir Wm. Chapman brought the cash he was not let go without “Mr. Chancellor admonishes him to redeem the tallies so deposited by small payments, vizt., £5,000 at a time as the Coy shall be able until the whole be redeemed.”<sup>3</sup>

The Commissioners of Forfeitures were before him again on the 25th, when he told them he “did not think it advisable . . .” to grant the York Buildings Company any more time to pay. The Company replied by offering to pay 5% on the debt if allowed time to pay, but this was not at all acceptable to the Chancellor, who required an “immediate payment of a fifth” if the estate was not to be resold. For this would be better than “not to be sure of the money at a time when the return of ships and other pressing Services will require such a sum.”<sup>4</sup>

“The general discontent of everybody,” particularly of Aislaby, was displayed when Count Bothmer enlarged the space before his house, enclosing it with a wall. Sir Thomas Hewett excused himself on the grounds that he had verbal orders “to make a little enlargement of the Court Yard.” The Chancellor coldly pointed out four good reasons against what had been done. Firstly, the original order had been disobeyed: “in the Estimate the Direction to the Surveyor is to build a Wall upon the same foundation the pales formerly stood” . . . “the wall projects several feet into the parade.” Secondly, Treasury sanction had not been obtained. He felt this infringed an important principle, for “the Treasury ought to have cognizance of all repairs and expenses which are to be defrayed by the Crown.” Thirdly, money is short, “the Treasury office is incommoded and straightened” and finally, probably the most terrifying prospect, “The Members of Parliament who pass by to and from the House of Commons will probably complain of it.”<sup>5</sup> Knowing what sort of mood the Commons were likely to be in after the financial affairs of the summer Aislaby had reason to be irritated by Bothmer’s wall.

To make things worse the Bank refused to carry out the agreement with the South Sea Company. As far back as Oct. 7th, the South Sea Company had “been with Commr. Townshend to know what forwardness the Instrument was that was to be made

<sup>1</sup> *P.R.O. Treasury Minute Book*. Oct. 13th, 1720.

<sup>2</sup> *P.R.O. Treasury Papers CCXXVIII 43*. *P.R.O. Treasury Minute Book*. Oct. 16th, 1720.

<sup>3</sup> *P.R.O. Treasury Minute Book*. Oct. 19th, 1720.

<sup>4</sup> *Ibid.* 25th Oct., 4th Nov., 8th Nov., 1720.

<sup>5</sup> *Ibid.*, Oct. 27th, 1720.



between the two Companys, who answered he had no Orders to draw any Such writing but the Secretary of the Bank had mentioned something of it to him and the Gentlemen of the Bank said necessary care would be taken of it.”<sup>1</sup> On the 12 October therefore, the Company wrote to Craggs “Having been at the Bank . . . we . . . acquaint you with what passed. We asked in what forwardness or what directions were given for drawing the agreement between the 2 Companys . . . but we find that as yet, no orders are given . . .”<sup>2</sup>

A month elapsed before the Governor of the Bank was interviewed by the Treasury Board who wanted a report from him in writing, of the difficulties that had arisen, so that they might “receive the opinions of learned Counsel.”<sup>3</sup> No satisfactory explanation was ever made. By the first week of December preparations were being made to meet the Parliamentary criticism which had to be faced. The Treasury Lords were receiving complaints direct from persons who had claims against the South Sea Company, and they tried to make the Company deposit money with the Board in case the petitioners should “have any claim to the same.”<sup>4</sup>

The end of Aislabie’s parliamentary and political career was drawing rapidly to a close. The events of December and January 1720-1721 were startling and swift in their sequence.

On January 23rd, 1721 he resigned office,<sup>5</sup> continuing to sit at the Board until February 8th, when his last act appropriately enough was to “Direct the South Sea Company to appoint three new trustees in place of Blunt, Chaplin and Chapman, disabled by an Act of this Session.”<sup>6</sup>

#### HANG UP AISLEBY.

The Parliamentary Session in which Aislabie’s public life ended was opened in a stormy manner. On the debate on the Address, which exhorted the Commons “to restore the National Credit and fix it upon a lasting foundation,”<sup>7</sup> Mr. Shippen asserted that “more guilty than the South Sea Company were those above them, whose Duty it was to overlook and direct their proceedings.”<sup>8</sup>

There had already started what later became a veritable witch-hunt. In October “Waller, Aislabie’s son-in-law . . . has refunded up to 80,000£ . . . to all who have bought subscriptions

<sup>1</sup> House of Lords MSS. Bundle 43, No. 11.

<sup>2</sup> *Ibid.*

<sup>3</sup> *P.R.O. Treasury Minute Book*. Nov. 16th, 1720.

<sup>4</sup> *Ibid.* Dec. 7th, 1720.

<sup>5</sup> *Historical Register*, 1721 p. 6, p. 7. *H.M.C.* Various III, p. 289. Sir John Pratt, Lord Chief Justice of the King’s Bench was appointed Chancellor of the Exchequer on Feb. 4th.

<sup>6</sup> *P.R.O.* op. cit. 8th Feb., 1721.

<sup>7</sup> *Historical Register*, 1721, p. 11. Dec. 8th, 1720.

<sup>8</sup> *Ibid.*, p. 14.

of him" wrote a Canon of Christ Church "I do not well understand the policy of this, and I am afraid it is not only from a principle of probity. I know not whether it may be a proper method to prevent a prosecution, but I am sure it is a plain confession of guilt."<sup>1</sup> This was written by a friend of the Harley family who had no love for Aislabie but even discounting their predisposition to think the worst it is a typical piece of gossip.

By November 1720, they had it that "Aislabie will be made a peer, which may be necessary to screen him from just indignation for his scandalous conduct."<sup>2</sup> In January, Matthew Prior heard "daily of damn the directors, hang up Aisleby, break Janson . . ."<sup>3</sup>

Robert Walpole was virtually acting as Chancellor by December 21st. He was recognised as the competent financial minister and was allowed to introduce his scheme for engrafting some South Sea Stock into the Bank and the East India Company without any parliamentary opposition.<sup>4</sup>

Most of the time of the Commons was taken up with demands for books and papers from the South Sea Company, in an endeavour to discover what had been going on since the previous March. Aislabie, very wisely, took no part in parliament's proceedings. Had he done so his quick tongue might have led him into such a scene as that in which Craggs involved himself with Shippen.<sup>5</sup>

When the House reassembled in January 1721 it was resolved to set up the famous Committee of Secrecy to enquire into the South Sea Act.<sup>6</sup> A Bill to restrain the Directors from going abroad was passed but it failed to prevent Knight the Treasurer of the Company from fleeing to the Austrian Netherlands where the ancient liberties of Charles V were used to prevent his extradition.

It was in the House of Lords that the first revelations were made, for on January 9th, they rejected a motion to set up a committee, deciding instead to examine persons themselves.<sup>7</sup> It was on January 21st that the first real blow against Aislabie was struck. Until that date there had been nothing more than malicious slander and libellous letters. On that day, however, the Lords "examined some Extracts of the Brokers Books that had

<sup>1</sup> *H.M.C. Portland*, VII, p. 280.

<sup>2</sup> *Ibid.* Vol. V, p. 606. The same rumour was current the following April. See : *Diary of Countess Cowper*, 13 April, 1721.

<sup>3</sup> *H.M.C. Bath Papers*, Vol. VIII, p. 493.

<sup>4</sup> *Historical Register*, 1721, p. 29.

<sup>5</sup> *Ibid.*, p. 33.

<sup>6</sup> *Ibid.*, p. 35. The Cttee. presented Seven Reports. The MS. of the First is in House of Lords, MSS. Bundle 43, No. 20. They are printed in *Parl. Hist.* Vol. VII, as follows : 1st, Feb. 16th, col. 711; 2nd, Feb. 25th, col. 743; 3rd, Apl. 21st, col. 783; 4th, May 22nd, col. 797; 5th, May 26th, col. 802; 6th, June 5th, col. 811; 7th, June 16th, col. 837. The *Annual History Parl. Debates* publishes an appendix to the 6th Report not in *Parl. Hist.*

<sup>7</sup> *Ibid.*, p. 43.



been called for . . . by which it appeared that large quantities of South Sea Stock had been transferred to Mr. Aislabie . . ."<sup>1</sup> It was on the morning of the 23rd January that Knight fled and Aislabie resigned.

It was a busy day. General Rosse proposed from the Secret Committee that Blunt, Lambert and Fellowes be arrested, and that two other South Sea Directors in the Commons, Sawbridge and Janssen be expelled the House. The next day the Lords arrested several directors. Both Houses worked independently applying for persons each had under arrest when they wished to examine one another's 'captives.' It is an interesting example of the independence of the Lords and Commons.

On January 26th, Sir Harcourt Masters and South Sea Directors "made very ingenuous and large discoveries and named several persons both in the administration and in the House of Commons to whom large sums in South Sea Stock had been given for procuring the passing of the South Sea Act." The Lords thereupon resolved that "taking in . . . transferring . . . Stock . . . or giving credit for the same, without a valuable consideration actually paid . . . or the purchasing Stock by any Director or Agent of the . . . Coy . . . for the Use . . . of any person in the Administration . . . during such time as the late Bill . . . was depending last year in Parliament was a notorious and most dangerous corruption."<sup>2</sup>

By the end of the month the essentials of the revelations had been laid bare by the Lords. On January 31st, the Lords examined "some Brokers, also Mr. Waller, son-in-law to Mr. Aislabie, and Mr. Astel, severally, in relation to a great quantity of S. S. Stock which appeared to have been transferred to and negotiated by . . . Mr. Waller who pretended not to have kept minutes of what he had done in Exchange Alley. This some of the Lords looked upon as prevarication."<sup>3</sup> They passed resolutions condemning the Directors for selling their own stock to the Company at a high price and at the same time ordering a lot of stock to be bought for the Company in order to keep up the price of stock.

But the directors were not the only ones concerned. The resolutions of January 26th indicated bribery in order to get the bill through Parliament. Between February 4th and February 11th, the Lords cross-examined most of the Directors to discover more of this.<sup>4</sup> Hawes and Astel spoke most of Aislabie's part in the affair.

<sup>1</sup> *Historical Register*, 1721, p. 46.

<sup>2</sup> *Ibid.*, p. 52.

<sup>3</sup> *Ibid.*, p. 53.

<sup>4</sup> House of Lords MSS. Temporary Reference. Parchment Collection Bundle 43. This contains the MS. Minutes of the cross examinations carried out by the Lords. These were fair copied before printing. The originals are signed by the witnesses after lots of alterations, in many cases, in their own handwriting.

Hawes after being asked about Stanhope's 'bribe' was asked :

"Do you know of any other (that you took in)<sup>1</sup> for whom Stock was taken  
and says Mr. Knight acquainted me some time ago that he had taken in or held Stock for Mr. Aislaby, but what sum it was or how settled I do not know  
asked if he did anything for Mr. Aislaby himself  
and says he did buy abt 20,000 or 30,000£ in Dec or Jan last was 12 month and (we laid by)<sup>2</sup> about March or April last 30,000£ more at about 340 per cent, I do not know the price of the first but believe it was at abt 130.  
asked in what manner this transaction was  
and says the stock was paid for by me out of Mr. Aislabys money and (?) not by depending on broker up (?) on account depending between us.  
asked if the stock was taken in and paid for at the current Market price  
asked what time Mr. Knight took ye stock in  
and says Mr. Knight mentioned it to me about 4 months ago but he did not then mention ye time  
and I do know not (?) what Time it was nor what the sum was.  
asked if it true the stock bt for Mr. Aislabye was not pd for out of the publick Money  
and says it is true it was not  
asked do you know whether Mr. Knight kept any Cash or money of Mr. Aislabys  
I do not know

(signed)Frd(£) Hawes."<sup>3</sup>

This was almost the sum total of evidence against Aislabye on the particular point of receiving stock in December 1719.

Mr. Houlditch and Mr. Gibbon both confirmed that accomodating took place. Houlditch said on February 8th, that "a few days before the passing of the act I was . . . with Mr. Knight ye Trear and I told him that I heard he had parted with several parcels of stock and he told me he had but if I pleased I might accomodate 3 or so of my friends at the Market Price . . ."<sup>4</sup> Mr. Gibbon 'had heard' something too : "I do not know anything of my own knowledge Mr. Knight did tell me the beginning of last year that he was to supply My Lord Sunderland with 50,000 stock . . ."<sup>5</sup>

William Astell merely detailed transactions after the bill had passed but which might refer to "accomodation" before the bill passed. It is important however.

<sup>1</sup> ( ) crossed out in original.

<sup>2</sup> Inserted above 'I do not know' in the next line in the original but should I think go in here.

<sup>3</sup> I have printed this in full to show the mode of taking evidence and the sort of replies elicited. When printed in reports such evidence appears as fact rather than hearsay and appears more definite than it is.

<sup>4</sup> House of Lords MSS. op. cit. *Minutes of Evidence*.

<sup>5</sup> *Ibid.*



"Upon looking over the Book of Mr. Knights Draughts upon the Bank I saw one draught dat 18 Aug.<sup>1</sup> 1720 payable to John Aislable Esq. of 27,378. 19s. 6d., I believe the figures were in the side of the book made by Mr. Knights own hand another draft some time after of 6,000 The 20th Sept. one draught of 48(?)00 and one of 86 all those in Mr. Aislables name. The 27th May foll to Mrs. Judith Aislable 2,503 . . . I dont know whether . . . the figures really pd to them . . . I dont know that any of the preceeding sums were for the balance or in part of a balance of Stock held or taken in being no wise privy to the transaction . . ."<sup>2</sup>

It is important to bear in mind the dates of the events leading up to the passing of the South Sea Act.<sup>3</sup>

Up to February 1st, there were merely proposals. Up to March 17th the Bill had not been presented, up to April 7th, the bill had not been passed. There is no doubt that during this period Aislable started buying up South Sea Stock. He did not deny that he held stock during this period. When he defended himself he merely said he thought he could do what he liked with his own money.

On January 30th, he bought £20,000 worth at 130, and on February 1st, the day the South Sea Company proposals were accepted, he sold £10,000 of it at 132 and the rest on the 9th. In his defence he said he did this the day before the Commons accepted the proposals because he had heard the<sup>4</sup> Company intended to outbid the Bank at any price and he disliked it and therefore sold out his stock. In fact he only sold half of it, and was buying again on February 10th. On that day, whilst he was drawing up the bill, he bought £10,000 worth of stock, at 173-4, and on March 1st, £21,000 worth at 174-178. He sold the £10,000 on April 4th at 180, and the £20,000 on March 4th, at about 175.<sup>5</sup>

The buying and selling of shares after the Act was passed is by contrast an innocent and legitimate action and might be defended as supporting the national benefit by helping the scheme. What is significant is that on January 28th, 1720 William Aislable, John's son, had £43,000 of stock to dispose of. But Waller, John's son-in-law, upon whom the Committee of Secrecy fastened with such zeal because of the large turnover of his several accounts, was a comparatively innocent, if foolish, speculator. His accounts with six stock brokers show a turnover of over £300,000 between

<sup>1</sup> This should probably be '8 Apr.' cf. Surman's evidence in the 2nd Report of the Common's Cttee. *Parl. Hist.* Vol. VII, col. 745.

<sup>2</sup> House of Lords MSS. op. cit.

<sup>3</sup> 1st S.S. Coy. proposals—Jan. 22, 1720. 1st Bank proposals—Jan. 27, 1720. Commons resolved to accept 2nd S.S. Coy. props.—1st Feb. Bill presented to Commons—17th March. Passed Commons—2nd April. Passed Lords—7th April.

<sup>4</sup> Speech in his own defence before the House of Lords. *Parl. Hist.* Vol. VII, col. 885.

<sup>5</sup> The accounts are taken from the House of Lords MSS. and from a pamphlet written in Aislable's defence: *The Case of the Rt. Hon. John Aislable, Esq.*, price 6d. British Museum, 1415, c. 20 and 288, c. 22(2).

February and December 1720. Apart from the fact that he bought and sold £8,000 worth of stock in February and £65,000 worth in March 1720, his only sin appears to have been large scale activity in the stock market, a common enough fault that year. The total amount of stock bought and sold by John, William, and Waller in January, February and March, was £166,000. This, during the period whilst the bill was under discussion, gave Aislabie an interest in passing the Bill. It therefore constitutes a "seeming corruption" whether there was actual corruption or not.

The general tenor of the accusations was that the Directors of the South Sea Company had disposed of £574,000 worth of 'fictitious stock' to various persons at various prices from 150 to 325. No money was paid for it. It was held by the Company for the benefit of the persons. If the stock fell no loss would accrue to the persons, but if the stock rose the profit was to be theirs.<sup>1</sup> The persons involved and named were: Sunderland, £50,000; Duchess of Kendal, Countess of Platen, (King's mistresses) £10,000 each; Countess of Platen's two nieces, the same; Craggs Senior, £30,000; Charles Stanhope, £10,000; Sword Blade Company, £50,000. The Sword Blade Coy, were the S.S. Company's bankers.

All that the First Report of the Commons Committee had to say about Aislabie was that he had had large dealings in stock with Weymondsold and that Waller had had even larger. Of the latter's profits, £33,000 were said to be really John Aislabie's. Aislabie was censured for agreeing to the First Subscription being taken in at 300 "at a meeting at the house of Sir John Fellows." The Secret Committee said that the scheme could have been carried through at 150 and still given a profit of 1½ millions. The answer to that was that on the date the subscription was announced, stock stood at 300. It was finally pointed out that he had put in a subscription list to the second subscription for £25,000 and to the third for £75,300.<sup>2</sup>

The Second Report of the Committee was concerned more closely with Stanhope and Aislabie. It was alleged that on February 9th, 1720 £20,000 at 130 was delivered by Hawes of the S.S. Company to Weymondsold for Aislabie's use. The market value on that day was 170.<sup>3</sup> On March 1st, another £20,000 worth of stock was bought for Aislabie as noted above, and according to Weymondsold's evidence to the Common's committee, Knight, the S.S. Company agent, paid for this. A letter from Aislabie to Weymondsold was produced to corroborate this.<sup>4</sup> Hawes further

<sup>1</sup> See First Report of Committee of Secrecy.

<sup>2</sup> Aislabie's £75,000 was moderate compared with Sunderland's £167,000 and James Cragg's £695,000.

<sup>3</sup> This amount does not appear in the House of Lords MSS. account.

<sup>4</sup> "Sir, I received yours, and did not write to Mr. Knight as you fancied, but left it all to you; if you can make it up to £20,000 I would stop there, since it has risen upon us so fast. I am yours, J. A., March 1, 1719. P.S. I will desire Mr. Knight to pay you the money." *Parl. Hist.* Vol. VII, col. 851.



reported that in November 1720, Aislabie made up and paid up his account with Hawes, who was a broker as well as a S.S. Company agent. After the account was settled, Aislabie demanded Hawes' duplicate of it and Hawes "upon Mr. Aislabie's pressing insistence" gave it to him. Both books were then burnt "part by Mr. Aislabie, and part by himself at Mr. Aislabie's instance."<sup>1</sup>

Finally three payments to Aislabie by the S.S. Company were reported by Surman which correspond with Astel's evidence to the Lords given above . . . 8th April, 1720; £27,378. 19s. 6d.; June 21st, £6,000; 20th Sept., £4,700 and £80.

On March 8th, the Commons considered Aislabie's faults as presented by the reports. He made a "long, submissive and pathetic speech."<sup>2</sup> "Aislabie called the directors as witnesses, asked them if they knew of stock being taken in for him and as they replied no, he argued his innocence." The Commons were not convinced "for it was not to be conceived but that they must have known the thing." "The incident of burning the books gave great disgust to the House" as they believed that the books were burnt after they had been ordered to be laid before the House, and not as was pleaded at the time of settlement of the accounts. "As to the charge of having great dealings in stock (pending the bill) he said nothing otherwise than by insinuating that doing so with his own money he hoped would not be criminal."<sup>3</sup>

The burning of the books really shocked the Commons and they passed twelve resolutions against him unanimously.<sup>4</sup>

Briefly these were :

1. On 3rd and 19th December, 1719 £22,000 S.S. Stock were bought for Aislabie's use by Knight.
2. Between 30 Jan. and 4 March, 1720 he dealt in £70,000 of stock on account with Weymondsold.
3. That on Feb. 12th, £20,000 stock was delivered for his use by Surman.
4. That on March 1st, £20,000 stock was taken in for Aislabie and paid for by Knight.
5. That this was done without Aislabie giving Knight any security and after the S.S. Proposals had been accepted.
6. That this was "a most dangerous and infamous corruption."
7. That Waller had an account of £794,551 and of the profit of £77,600 made by Waller, £33,000 was for Aislabie.
8. That Aislabie approved the Company lending out £1,000,000 Exchequer Bills on their stock.

<sup>1</sup> *Parl. Hist.* Vol. VII, col. 861.

<sup>2</sup> *Historical Register*, 1721, p. 95.

<sup>3</sup> Coxe, *Walpole*. Quarto Ed. Vol. II. March 9th, 1721. Broderick to Lord Middleton.

<sup>4</sup> *Parl. Hist.* Vol. VII, col. 750. *Hist. Register*, 1721, p. 96.

9. That he agreed to First Subscription being at 300.
10. That he had a subscription list for £75,300 on the Third Subscription and did thereby encourage it.
11. That he encouraged the S.S. Scheme and promoted it to his own exorbitant profit.
12. He be expelled the House and put in the Tower.<sup>1</sup>

These charges are the basis of the attack on Aislabie. The first is the important one and one that can be neither proved nor disproved. Aislabie claimed to have paid Knight in cash for it. But this will be dealt with at length below. Charges 2, 3, 4, 5, can all be satisfactorily replied to if it is accepted that Aislabie paid for the stock in December. If he did not they are merely additional to the case against him. Guy Neville on June 26th argued these charges out.<sup>2</sup> Charges 8, 9, 10, do not really amount to very much. "The only judicial act done by the Treasury in relation to the Exchequer Bills was signing the warrant for making them forth, which was signed 28 April, 1720 by the whole board."<sup>3</sup> If the stock "had been taken in at a lower price it would have depreciated the Stock, rendered the scheme impracticable, and the Company had become *fel de se*."<sup>4</sup> As Chancellor it was up to Aislabie to support the execution of the Act, once he had decided not to resign. To support the proposals in the first place when he thought, as he said later he did, that the scheme was not sound, may have been a poor foolish policy, but it was not corrupt to assist in its execution once the Act was passed.

Charge 10 looks very imposing but all he did was to enable some friends to lose their money rather quicker than they otherwise would have done. If it could be proved that he did not pay for the stock from Knight in December 1719, he could be charged with corruption, and this is what was believed to be the truth. If that can not be shown to be so he can only be charged with speculation based on inside knowledge obtained as a result of his position as Chancellor. To-day that would mean resignation, and if the Marconi Case is a criterion, perhaps not even that.

The committal to the Tower caused a good deal of pleasure to the public in general and to Aislabie's enemies from the Harley circle in particular. Dr. Wm. Stratford was "forced to preach Christian philosophy to Neddy . . . in great glee upon A's commital . . ."<sup>5</sup> "I can allow him to take pleasure in seeing a wicked wretch humbled, but I am afraid he considers him a family enemy, as well as a common oppressor, and finds it hard to confine his joy to the proper grounds."

<sup>1</sup> His son succeeded to his seat. *Official Returns*. The South Sea Bubble did not shake the Studley interest.

<sup>2</sup> See below, and *Hist. Register*, 1721, p. 232. *Parl. Hist.* Vol. VII col. 849.

<sup>3</sup> *The Case of John Aislabie* : op. cit. p. 17.

<sup>4</sup> *Ibid.*, p. 19.

<sup>5</sup> *H.M.C. Portland Papers*. Vol. VII, p. 291, dated March 2, but must be later than the 8th the date of Aislabie's commital.



The correspondence of the period is full of such comments, but usually they are restrained by less Christian philosophy. They are very vicious. Rumour had it that there had been an arrangement with Robert Walpole: "the deaths of Stanhope and Craggs<sup>1</sup> have much perplexed Lord Sunderland. Walpole is to have the Treasury and choose his own creatures . . . Walpole undertakes to screen Sunderland and the German ladies and to let Aislalie and the rest take their chance . . ." <sup>2</sup> Subsequent events appeared to confirm this and it might represent the Government plan. At any event it does not appear to have caused Aislalie to feel any bitterness towards Walpole that he was one of those "thrown to the wolves." He only felt gratitude towards him as Walpole attempted to counter the attack on Aislalie in the Commons from this time onwards.<sup>3</sup>

It needed more than Walpole's authority to restrain the Commons and balance the blunders of Aislalie and his friends but there was a change from about March onwards. The violence began to ebb after one more outburst.

#### AN END OF IT.

The publication of the Third Report of the Committee of Secrecy on April 21st, coincided with the Second Reading of "the Bill for restraining John Aislalie from going out of the kingdom and for discovering his Estates and Effects." Unfortunately the report showed that Waller also "had torn and burnt all his books of Accounts, so that he had nothing to show for all his dealings either for himself, his mother, or Mr. Aislalie his brother-in-law." This incensed the Commons so much that they passed a motion for consolidating Aislalie's bill with one for the "Relief of the Unhappy Sufferers."

Robert Walpole opposed this on the grounds that it would be hard to put a person of Mr. Aislalie's eminence and distinction on the same level as the directors. But to no avail, for the motion passed without a division, as did another to subject his estates in the same way as the Directors.<sup>4</sup>

The attempts of his friends to assist him were clumsily handled, and only succeeded in making things look worse than they perhaps were, so the Commons were incensed the more against him. On May 6th, a motion to exclude his paternal estate from the same forfeiture as the other part was "rejected with general indignation."<sup>5</sup>

<sup>1</sup> On Feb. 5th and Feb. 16th respectively. *Historical Register*, 1721, pp. 7, 9.

<sup>2</sup> *H.M.C. Portland Papers*. Vol. V, p. 615.

<sup>3</sup> See Aislalie's Letter to Walpole of February 2, 1723, when the whole affair was nearly over. Coxe, *Walpole*. Quarto Ed., Vol. II.

<sup>4</sup> *Historical Register*, 1721, pp. 119-120.

<sup>5</sup> *Ibid.*, p. 192.

Two days later more fuel was added to the fire of indignation by a piece of quixotic foolery. General Rosse, a member of the Committee of Secrecy and one of the chief speakers against Aislabie, alleged that Thomas Vernon<sup>1</sup> had accosted him and "told him there was a disposition in the House to be favourable to Aislabie in the Bill . . . and that it was in his power to do him service and for the same Mr. Aislabie would make him any acknowledggment and in any manner he should think fit . . . Mr. Vernon was heard in his place and own'd the said words and circumstance withal declaring that he did not mention or intend anything of money or any other corrupt matter and begged the pardon of the gentleman and of the House . . . saying the words without any corrupt intention and only on account of friendship."<sup>2</sup> Vernon was expelled the House.

He appears to have been a well intentioned old fool rather than a corrupt rogue for Aislabie's enemies were "very sorry for him for I think him an honest man"<sup>3</sup> and "had a kindness for him ever since I came acquainted with him . . . if what he did were excusable in any one it was in him . . . I am sorry this should happen on the Tory side."<sup>4</sup>

It would seem that Vernon was right in thinking there was a disposition to be favourable to Aislabie. On June 10th a motion by Walpole allowing him to keep what he had at the end of 1719 was lost by only 18 votes, in spite of impassioned speeches by Freeman and Jekyll to date the forfeiture from 1714 when he became Treasurer of the Navy. Eventually a compromise at Oct. 20th, 1718 was reached by 113-95.<sup>5</sup>

The family evidently felt cheerful at this time too, for "Mrs. Aislabie wrote to a lady in the country that they should suffer little damage beside the confinement."<sup>6</sup> There were rumours that a prorogation would be made to enable "friends to be made." But without this strong measure there was no division on June 27, when Colonel Earle<sup>7</sup> put his motion to exempt from forfeiture Aislabie's "Country House, Gardens, and Park as also his Lady's jewels and Household goods."<sup>8</sup>

The first public defence of Aislabie was made by Grey Neville, the M.P. for Berwick-on-Tweed on June 26th. He moved that the hard epithets such as "breach of trust" and "own exorbitant profit" be left out of the Bill. He then went on to make a very plausible case for Aislabie.

<sup>1</sup> Aislabie's father-in-law. Tory M.P. for Whitechurch. An original director of the South Sea Company in 1711.

<sup>2</sup> *Historical Register*, 1721, p. 194. *Parl. Hist.* Vol. VII, col. 796.

<sup>3</sup> *H.M.C. Portland Papers*, Vol. V, p. 621, Edward Harley to Abigail

<sup>4</sup> *Ibid.* Vol. VIII, p. 297. Dr. Stratford.

<sup>5</sup> *Hist. Register*, 1721, p. 221. *Parl. Hist.* op. cit. col. 833.

<sup>6</sup> *H.M.C. Portland Papers*. Vol. V, p. 622. June 18th, 1721.

<sup>7</sup> John Aislabie's first wife's brother-in-law. Earle married one sister and John the other. See *Surtees Soc.*, Vol. 65, p. 338.

<sup>8</sup> *Historical Register*, 1721, p. 240.



Denying that under the S.S. Act the Chancellor could commit a breach of trust, he maintained that the Directors acted under an Act of Parliament and turned the responsibility onto Parliament itself. It was sitting, he pointed out, when charges 8 and 9 were alleged to have been committed. The crucial point according to him was lending money to buyers of stock without security and for this he held the Directors solely responsible.<sup>1</sup> So far he was on perfectly sound ground for Aislabie's attitude to Blunt on October 1st bears this out.<sup>2</sup>

Turning to the charge of corruption he sought to show the falsity of the charge that Knight held £22,000 stock for Aislabie without any money being paid. The assumption he makes is that Aislabie did pay Knight in cash £27,800 in December 1719. This is the crux of the matter and Grey Neville does not attempt to prove his assumption. If the original was paid for then up to March 4th, Knight always held a balance due to Aislabie and therefore Aislabie could quite openly write, as he did do, to Weymondsold on March 1st, "I will desire Mr. Knight to pay you the money." The rest of Grey Neville's speech was merely rhetoric. What was never satisfactorily explained was the payment to Aislabie on April 8th, 1720 by a Bank draft of £27,378. This amount is very nearly the £26,000 which Aislabie claimed to have paid for the £22,000 worth of stock in the previous December. Scott<sup>3</sup> calculates the figures as being even closer—£27,480 and £27,810—and suggests that Aislabie did pay Knight in December 1719 and then got the money back in April. It is certain that no one on Aislabie's side ever explained away the Bank drafts. It is even more suspicious when we consider his Estate. For between June 1720 and December 1721, he increased his estate in land by £32,344. 10s. If the payment of April by Knight of £27,378. 19s. 6d., is added to the £6,000 paid later<sup>4</sup> we get a total of £33,378. 19s. 6d. That would be about the total of Aislabie's bribe and is very close to the sum by which his real estate increased.

The Bill<sup>5</sup> "for raising money upon the estates of the late S.S. Directors and of John Aislabie and James Craggs Senior" passed to the Lords. This was Aislabie's last chance to be heard against the Bill and so on July 8th,<sup>6</sup> he petitioned the Lords to be heard "by counsell" against the Bill. Their Lordships held a conference with the Commons' Committee to discover further why they had included Aislabie in the bill. The Commons' reasons were given as (i) he had admitted that Knight bought £22,000 stock for him in December 1719, and (ii) he had burnt his account books

<sup>1</sup> *Historical Register*, 1721, p. 232. *Parl. Hist.* Vol. VII, p. 849.

<sup>2</sup> *P.R.O. Treasury Minute Book*. Oct. 1st, 1720. See above.

<sup>3</sup> Scott, *Joint Stock Companies to 1720*. Vol. III, p. 341.

<sup>4</sup> See above, Astell's evidence.

<sup>5</sup> Anno 7, Geo. I, c. 28.

<sup>6</sup> *Parl. Hist.*, gives the 10th. *Hist. Register*, 1721, p. 282, gives the 10th. But the original petition in House of Lords MSS. is written on in pencil: "Read first the 8 July, 1720/21."

with Hawes. The Commons had at last realised the crux of the case against him. The 12 resolutions were now two. The Lords agreed to hear Aislabie and his witnesses at the Bar.

On July 18th, he cross examined the Directors : which elicited nothing but a witty summing up from Lord Onslow.

The next day Lord Trevor and Lord Harcourt<sup>1</sup> moved for the whole of the evidence against Aislabie from the Commons' Secret Committee as they did not see sufficient grounds for inserting his name in the Bill. As it was feared that this would lead to disputes with the Commons it was dropped and Aislabie was called to make his own speech at the Bar.<sup>2</sup>

In two very long and tedious speeches on Wednesday 19th July and Thursday 20th July he defended himself. He pointed out quite rightly that the charges made against him when he was committed to the Tower were now dropped in favour of general charges. He ridiculed the Commons' attempt to use his statement that he had bought stock from Knight in December 1719 as a confession of guilt. He denied buying it in the hope of gain when the scheme came into action, on the grounds that he did not know of the scheme until the end of December when there was a meeting at his house to confer about it with Blunt, Knight, and Clayton.

There is a significant passage which shows his attitude to the sort of speculation he was accused of. Denying buying the stock for gain later when the scheme was adopted he continued, "and if it had been so it would have been no more than every chancellor of the exchequer had done at all times before me; nay, I may venture to affirm it hath been looked upon as incumbent upon the chancellor of the exchequer and all the officers of the revenue to encourage by their example all public undertakings of this kind." He went on to point out how, when the South Sea Company was formed, several officers of state were concerned with it. After this stress on the importance of the chancellor's position it is a little amusing to see how he attempts to disclaim responsibility by belittling the office he held. He made observations on the office of chancellor to which attention was drawn above.

The charge of burning the books was excused on similarly specious grounds. Hawes said there was nothing in them : therefore nothing is hidden and there was no harm in burning them and, anyway, it is common judicial practice not to make a man produce evidence against himself, therefore they could not have been used had they not been burnt. So runs the argument. He ended that day's speech by criticising the Trustees who were given the job of raising money on the forfeited estates of the Directors and protested at being disabled from sitting in Parliament.

<sup>1</sup> Aislabie's second wife's brother-in-law. Aislabie married one sister. Harcourt the other. Their father was of course Tom Vernon.

<sup>2</sup> The Speech was printed and published. See Bibliography. Reprinted *Parl. Hist.* Vol. VII, col. 863-891. *Hist. Register*, 1721, pp. 289-317.



It was a truculent speech, full of debating points but also full of misleading and contradictory statements.

A speech of similar length followed on Thursday. He spoke of Waller as a young man whose actions suited the frenzy of the times and admitted his share of Waller's profits. He then reviewed the South Sea Scheme and tried to show he had been against it ever since counter proposals were put forward by the Bank. The actions of the summer he defended by denying to the Treasury any control over the Directors once the Act passed. He blamed Directors, the Bank, his colleagues but never himself. His speech presents the picture of a man carried along by more forceful characters on a path he disapproved of treading. The general opinion was that there was little protesting from him and that he did in fact aid the scheme. In fact he was completely out of his depth in character as well as ability.

In an age of pamphleteering it was not to be expected that such a prominent person as Aislabie in such a situation would escape someone's pen.

On his own side appeared the "Case for John Aislabie" but it did not appear until after he had spoken in the Lords.<sup>1</sup> It made much the points made by Aislabie in his speeches to the Lords and reprinted his account with Weymondsold to show that what he bought he soon sold and so did not make much profit. The inference is that he did not know the directors' plan to push up the price and suggests, therefore, that he did not know their secret schemes.<sup>2</sup> This is true so far as it goes but it does not answer the real charges against him as we have seen.

After the publication of his speeches before the Lords Daniel Defoe replied to the first one in an ironical pamphlet "A Vindication of the Honour and Justice of Parliament"<sup>3</sup> in which he suggests that the alleged speech is so bad that Mr. Aislabie ought to clear himself of being the author of it. Defoe nevertheless replies to it as if it were by Aislabie reminding him when he complains of procedure that seven years before Aislabie vindicated Parliament's right to extraordinary procedure against the peace makers when all legal evidence was "artfully suppressed."

The "unhappy proprietors of the redeemable debts," as Aislabie called them, printed their complaint against him also. "A Memorial of the Contractants with Mr. Aislabie"<sup>4</sup> compared him to "Licinius Stolo who proposed a division of the lands belonging to the Commonwealth" and to a legate who knowing a will to be forged yet accepts the bequest. The idea that Aislabie had made a prodigious fortune died hard. He was exhorted to "remedy the present Stagnation of Trade" by lending "all his wealth to the State." It was thought that if he disgorged the

<sup>1</sup> British Museum Catalogue, 1415, c. 20.

<sup>2</sup> Scott agrees with this inference, *op. cit.* vol. III, p. 338.

<sup>3</sup> Brit. Museum, 518, d.27(10).

<sup>4</sup> *Ibid.* 101, f. 16.

specie "which sleep for the present in your private Caverns" the rate of interest would go down.

The popular idea of the extent of the gains of "Eminent persons" was sadly pricked when "Trustees for raising money by sale of the estates of the late S.S. Directors" started the hard task of raising the money. They had been appointed on 23 August, 1721, took the oath and fixed their office at the South Sea House so that deeds, books, accounts, papers and minutes might be easily delivered to them.<sup>1</sup>

"John Aislabie did . . . on the 25th day of December last deliver to them upon oath two inventories or Accounts of his Estate . . . one . . . as it stood on 1st October, 1718 and the other . . . June 1720 . . ."<sup>2</sup>

The Trustees took over goods and chattels and put them in the custody of agents, and appointed stewards to manage estates until they could be sold.<sup>3</sup>

It was not an easy matter "to Compute the clear value of the Estates" and there were disputes between John Aislabie and the Trustees.<sup>4</sup> Consequently in June 1722, Aislabie appealed to the King's Bench. The Justices ordered "their Register" to inspect the accounts and to cross examine Aislabie and the Trustees and to report back to them any special difficulties. Things went smoothly after that for by 25 January, 1723, the Trustees reported that "things would be finally settled . . . in a short time." By February 2nd, Aislabie had almost finished and wrote to Walpole.<sup>5</sup> He had to clear his account as Chancellor as well as his private accounts with the Trustees. The fact that the public officers had their private and public accounts mixed together complicated matters.

An end was made on 30 May, 1723<sup>6</sup> when £45,126. 5s. 7d., was paid by Aislabie to the Cashier of the South Sea Company.<sup>7</sup> This was £13,037. 2s. 4d., more than he would have paid had the original inventory been accepted without question by the Trustees.<sup>8</sup> The money was raised by the "sale of personal estate with debts and effects got in."<sup>9</sup>

<sup>1</sup> MSS. of Reports in House of Lords MSS., Bundle 43, 9 Reports. Feb. 6, 1722; Jan. 14, 1723; March 13, 1724; (1725 report apparently missing) April 22, 1726; Feb. 1st, 1727; April 20, 1728; Jan. 21, 1729; May 2, 1729.

<sup>2</sup> *P.R.O. Treasury Papers*, CCXXXV, 71.

<sup>3</sup> Report of Feb. 6th, 1722.

<sup>4</sup> Report of Jan. 1723.

<sup>5</sup> Coxe, *Walpole*. Quarto Ed. Vol. II, p. 219.

<sup>6</sup> From a scrap book of jottings *circa* 1840 in Ripon Cathedral Library. No Reference available. It reads "Painting in ye Butlers room at Studley Hall a bundle of Parchments were handed out from under some furniture on the bed(?) and proved to be concerning the South Sea Business as under, viz.: "The Trustees of the S.S. Coy. their release to the right honble Mr. Aislabie Esq and the counterpart of his release to the trustees dated 30 May 1723 by which it appears that his estates were valued as they existed in 1722—164,112. 3. 4., ditto 1718—118,983. 17. 9., difference—£45,126. 5. 7."

<sup>7</sup> From Report of March 1724.

<sup>8</sup> See *Treas. Papers*, CCXXXV, 71, where it is £32,099. 3. 3d.

<sup>9</sup> From an appendix to Report of March, 1724.



This sum is difficult to trace in his accounts. I have suggested above that £32,344 of it was invested in land between June 20, 1720 and December 1721, and that this was the money he got on bank drafts from Knight, which in total was £38,158. 19s. 6d. It is in accordance with the first total shewn due to the South Sea Company : £32,099 : the sum the Trustees would not accept as total gain.

The rest of the sum either £7,000 or £12,782 depending on how much is decided on as the total of his payments by draft from Knight, would seem to be his profits on stock jobbing. His cash decrease between June 1720 and December 1721 was £26,726, and the increase in his credit £37,079, leaving a credit owed to him of £10,353. This would seem to be his profit from stocks. Although he had a large share of Waller's account and admitted it, he was owed a great deal and he owed a great deal himself.

After the large figures bandied about throughout 1721 in and outside Parliament it appears that our final conclusion must be that Aislabie was given a bribe of £30,000 to £38,000 and made £7,000 to £13,000 on stocks. This is damning enough but it is not so bad as is usually believed. The clear produce of all the forfeited estates as reported finally in May 1729 was £1,996,392. 7s. 3d.

It is commonly supposed that he rebuilt his country house at Studley and laid out the extensive pleasure grounds there from the proceeds of the South Sea Scheme. A great part of the Hall was burnt on Christmas Day 1716<sup>1</sup> and it is conjectured that Vanbrugh designed the new building which John Aislabie erected in its place. It has been pointed out that the West End was not completed because of the losses of the South Sea Bubble.<sup>2</sup> It is doubtful whether one can speak of his losses, but it is interesting to remember that what was built was built before 1721.

After his exclusion from politics Aislabie devoted his time to developing the estate at Studley which was his real source of power. As early as 1720 "enchanted schemes were commenced"<sup>3</sup> when "landscape gardening was hardly yet fashionable." Later as many as 100 men were employed making canals and 'water-works.'<sup>4</sup> By 1725 he had made it a show place and it attracted tourists like Lord Harley who "were conducted to that Vale . . . where the Skell runs through the Park, and where there is a handsome canal just finished, through which the whole river takes its course, this canal is length 1,260 feet and the river falls into it in one leap of water, 5 feet perpendicular, and goes out again with a cascade of steps, the perpendicular height of which is 13 feet. There are handsome grass and gravel walks on the side of it . . ."<sup>5</sup>

<sup>1</sup> Gent. *History of Ripon*, 1733.

<sup>2</sup> Christopher Hussey, *Country Life*, Vol. 70. July 25, 1931, p. 128.

<sup>3</sup> Surtees Society. Vol. 76, p. 340.

<sup>4</sup> *Ibid.* Vol. 65. John Hobsons Diary, p. 254.

<sup>5</sup> *H.M.C. Portland Papers.* Vol. V, p. 635.

As well as landscape gardening, racing had a great attraction for him in these days. In 1714<sup>1</sup> the Corporation decided to level "the High Comon belonging to this Corporation" for Horse Races. Aislabie offered plates to be run for in 1722 £30, in 1723 £45, and in 1724 Two of £40. We get a glimpse of his wife's character from a letter written to Abigail Harley by a native of Ripon in 1723, her correspondent being full of womanly fury at the faults of her sex. "Last week Mrs. Aislabie gave a plate to be run for by women, and nine of that sex mounted their steeds, rid astride, were dressed in drawers, waistcoats and jockey caps, their shapes transparent, and a vast concourse of people to see them. I think the lady who was the benefactress to this indecent diversion should have made the tenth in number."<sup>2</sup> Judith Vernon was evidently a lively young wife.

The succession of plates might well have been designed to accommodate local feeling for in 1724 John's son William was only elected Mayor by a casting vote.<sup>3</sup>

It is beyond the limits of this essay to probe into John Aislabie's last twenty years,<sup>4</sup> to trace the rounding off of the estate<sup>5</sup> which he commenced and which his son brought to a fitting conclusion by the purchase of the Fountains Abbey estate in 1768. Suffice it to say that he has there a gracious memorial of natural beauty which has outlived the memory of "those political transactions in which he was so long engaged," a memorial superior to that erected to him in Ripon Cathedral where he lies buried.

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<sup>1</sup> *Ripon Millenary Record*. Part II, p. 88. Feb. 2nd, 1714.

<sup>2</sup> *H.M.C. Portland Papers*. Vol. V, p. 624. Sept. 28, 1723.

<sup>3</sup> *Ripon Millenary Record*. Part II, p. 94. William had succeeded Viscount Castlecomer as M.P. for Ripon 5 Dec., 1719. The previous October he was granted one of the two Auditorships of the Prest and Imprest on one determining. On his father's expulsion he took his seat and continued to hold office during the 18th century. The sins of the father were not visited on the children in Parliamentary circles. (See Official Returns and Signet Office Ind. 6820 op. cit.)

<sup>4</sup> He died aged 71, June 18, 1742, at his house in Grosvenor Square. (See *Leeds Mercury*, No. 855, and *Gent. Magazine*).

<sup>5</sup> Act Anno 4 Geo. II, c. 55, by which he exchanged with the Archbishop of York lands at Bishopton for Mackershaw, the valley of the Skell below his pleasure grounds. He had already extended near Fountains Abbey by taking How Hill as payment for debt from Rev. Robt. Weelks in 1716 whose brother Stephen was an ejected Fellow of Magdalen, Oxford. (Surtees Soc. Vol. 42, p. 221).



Register of Papers read at Board with Replies. T.4, 21.

Out Letters General 1715-1724. T.27, 22 and T.27, 23.

Signet Office. Index to Docket Books. Ind. 6820, 1660-1737.

Calendar of State Papers Domestic. 1700-1702 and 1702-04.

Calendar of Treasury Papers as guide to Treasury Papers above.

#### BRITISH MUSEUM.

ADD. MSS. 22, 265. Strafford Papers on the Navy 1704-32.

ADD. MSS. 34, 402. Treasurer of Navy Accounts.

ADD. MSS. 14032/26. Papers of Sir John Norris.

ADD. MSS. 25,494 to 25,584. South Sea Company Papers and Minutes. The most valuable for Aislabie affairs are 25,498; 25,499; 25,539; 25,555; 25,562; See References in the text.

Harl. MSS. for docquets and subscription lists.

West Collection : Lansdowne MSS. 829. Treasury Board Report.

#### PRINTED BOOKS DEPT.

*The Two Speeches before the House of Lords made by Aislabie on Wednesday, July 19th, 1721 and Thursday, July 20th, 1721.*

Copies of Three Editions. Each speech published separately.

Copy of Dutch Translation of the First Speech.

*The Case of the Rt. Hon. John Aislabie. (London 1721).*

*A vindication of the Honour and Justice of Parliament against a libel entitled, the speech of John A . . . . , Esq. by Daniel Defoe. (1721).*

*A Memorial of the Contractants with Mr. Aislabie In a Letter to Licinius Stolo. (In the North Library).*

A Volume of Misc. Pamphlets : contains division lists of the House of Commons for period 1702-14. Ref. 518, d.27.

The Speeches of Aislabie are faithfully reprinted in Cobbett's Parliamentary History Vol. VII. I have checked it with the Brit. Museum Copies of the Speeches. I have given column references to Cobbett in the text of this essay as being more accessible.

#### HOUSE OF LORD'S MSS.

The Temporary Reference of these papers is :

Parchment Collection Bundle 43.

I listed these papers and where a ref. no. appears in the text it refers to the numbering on that list, a copy of which is with the papers or with the Clerk of the Records at the House of

Lords. It is the material collected by the Lords during their investigations into the South Sea Scheme. An idea of what it contains can be obtained from a reading of the list of papers which the Lords ordered to be laid before them.

I must record here my debt to Mr. Bond, the Clerk of the Records of the House of Lords in allowing me to work on them.

FOR PARLIAMENTARY DEBATES AND RETURNS :

*Official Returns; Journals of the Commons; Cobbett's Parliamentary History*, Vols. IV-VII; *Annual History Parliamentary Debates*, Vol. VII, 1717-21; *Historical Register*, Vol. 2, July 1714-Jan. 1716, Vol. 5, 1720, Vol. 6, 1721; *Journals of the Lords*.

HISTORICAL MANUSCRIPTS COMMISSION :

Dartmouth Papers; Various III; Portland Papers, Vols. IV, V, VII; Stuart Papers, Vol. V; Bath Papers, Vols. I, VIII; Lonsdale MSS.

THE PUBLICATIONS OF THE SURTEES SOCIETY are invaluable for Northern affairs. I have used :

- Vols. 40, *Depositions from York Castle*.
- 42, *Memorials of Fountains*, Vol. I.
- 57, *The Guild of the Corpus Christi, York*.
- 65, *Yorkshire Diaries*. Dean Deering's; John Hobson's.
- 67, *Memorials of Fountains*, Vol. II
- 77, *Yorkshire Diaries*. Note Book of Sir Walter Calverley.
- 80, *Stukeley's Diaries and Letters*.
- 102, *Freemen of York*.
- 113, *The Records of the Northern Convocation*.
- 129, *York Mercers and Merchant Adventurers*. 1356-1917.

J. W. WALBRAN in "*Genealogical and Biographical Memoir of the Lords of Studley in Yorkshire*" 1841, gives what is the only biography of John Aislabe. Professor Namier in a note in his "*England in the Age of the American Revolution*" p. 253 points out that it is "a book so rare that the British Museum has only a typewritten copy of it." There is a copy in the Yorks. Arch. Soc. Library, Leeds. Its matter is easily available however in Surtees Society Publications, Vol. 67, Appendix XI. It is a faithful reprint only omitting the reference to the Docquet in Harl. MSS. 2264/258 of the Admiralty Commission, Dec. 3rd, 1710.

CONTEMPORARY PUBLICATIONS OR COMMENT are contained in :

Thomas Gent : *The antient and modern History of the Loyal Town of Rippon*. York 1733.



*Chamberlayne's Present State of Great Britain*, 1725 and 1737.

*A History of the Parties* by Earl Cowper (1664-1723), reprinted in : *Complaint and Reform in England*. Oxford 1938.

*Swift : Works*, Vol. V. Edited Temple Scott. Bell 1901.

"*A compleat History of the Late Septennial Parliament . . . to which is prefixed Honest Advice to Freeholders.*" London 1722. J. Peale at Locke's Head in Paternoster Row.

(This has a good account of South Sea Scheme pp. 36-40 giving a fair and intelligent account for a political pamphlet).

*Ripon Millenary Record*. Harrison, Ripon, 1892. Part II reprints what remained then of the Town Records. Unfortunately not even those original documents have survived. Ripon is very poorly served for records; there appear to be absolutely none.

*Yorkshire Parish Register Society* publications : For St. Martin, Coney St., York. Holy Trinity, Goodramgate, York.

*Ripon Grammar School Account Book*. (Minute Book of the Governors) from 1704 onwards. Few pages missing between 1708-12. This is MSS.

*Ripon Cathedral Scrap Book*. A book of cuttings and jottings made about 1840. In the Cathedral Library.

*Leeds Mercury* : Weekly paper in the 1740s.

*Gentleman's Magazine*.

*Coxe : Robert Walpole*. I have used the Octavo Edition of 1800. For occasional use of Vol. II of the Quarto Edition I have marked such places by special note.

*The Portledge Papers* : edited R. J. Kerr & Duncan.

*The Life of John Sharp, D.D.*, Lord Archbishop of York, by Thomas Sharp, D.D. Edited by Thomas Newsome. Rivington 1825.

*Diary of Countess Cowper*, Lady of the Bedchamber to the Princess of Wales.

*History and Directory of Yorkshire* : 1821, Vol. 1.

*Alumni Oxonienses* : J. Foster, Vol. 1. Oxford 1891.

*Catalogue of the Plate of Magdalen College, Oxford* : E. A. Jones. Oxford 1940.

*College Admission Register* : St. John's College, Cambridge.

*Eboracum* : by F. Drake. 1738.

*History of the House of Commons* : The Representative History of Great Britain and Ireland : T. H. B. Oldfield. Vol. V. 1816.

*Yorkshire Archaeological Journal* : Vol. XXXII, Part 125 : For article by T. S. Gowland : *The Manors and Liberties of Ripon*. Vol. V. 1879 : for excerpts from Rawlinson MSS.

*Y. A. Society, Record Series, XCVI* : for Yorkshire 1710 Election.

*The Wandesfordes of Kirklington and Castlecomer*, by H. B. M'Call. 1904. Reprints contemporary correspondence.

*Notes and Queries*, references : 2nd Series, Vol. III. Vol. 10. 11th Series, Vol. II. 14th Series, Vol. 164.

*English Historical Review*, 17. 1902. Article by J. F. Chance on The Baltic Expedition.

*Country Life*, Vol. 70, July 25, 1931, for article on Studley Royal with good photographs.

*Ripon Gazette and Observer*, Dec. 19th, 1935.

*Dictionary of National Biography*, article on John Aislabie by G. F. Russell Barker. Not reliable.

#### MODERN WORKS MENTIONED IN THE TEXT.

*W. R. Scott. Joint Stock Companies to 1720*. Vols. II and III. By far the best account of the South Sea Company and Scheme. It is indispensable to an understanding of the period.

*Jean McLachlan : Trade and Peace with Old Spain*. Cambridge Univ. Press. Most useful for Anglo-Spanish trade contacts and disputes, 1667-1750.

*E. Hughes : Studies in Administration and Finance*. Manchester Univ. Press. For treasury administration during the period 1702-22.

*Michael* : Beginnings of the Hanoverian Dynasty.

*K. Feiling : Tory Party 1640-1714*. Oxford, 1924.

*N. B. Namier : Structure of Politics at the Accession of George III*.

*Basil Williams : Stanhope*. For the foreign policy of the period. On page 143 note 2 he refers to Aislabie as a Whig in April, 1714. It is a misleading term to apply to him at that period. He was a Hanoverian Tory, if he must be labelled.

*Lewis Melville : The South Sea Bubble*. It is a compilation from Hist. Manuscript Commission reports in the main. Unscholarly.

It remains to add that I have started the year in January of each year to avoid confusion. I have not allowed this rule to prevent my using the clumsy "2-3" form where I thought clarity demanded it. I have given dates in New Style or when quoting a document as in the original.



## GLEBE TERRIERS AND OPEN FIELD, YORKSHIRE.

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This article, although complete in itself, is planned as the first of a number of studies which will concern themselves with the open fields of Yorkshire. Two major questions have to be answered: how much of Yorkshire ever bore the medieval pattern of the open fields? How and when did the enclosure of these fields, and the disappearance of the old scenic pattern take place? To answer these questions no one tool of research is sufficient. Parts of the answer will come from the evidence of fields themselves and from air photographs which pry beneath the modern field lay-out to the medieval remains underneath. Another part of the answer will come from an examination of the progress of enclosure in the records at local and central archives. Yet another part will depend upon the evidence of what few maps have survived from the sixteenth, seventeenth and eighteenth century parishes: for in some instances these maps will picture the open fields for us.

To answer such questions by these means will be the hopeful ambition of later studies. In this article, the glebe terriers of the county are examined as a source of information about the open field economy, and from them can be assembled evidence which provides some of the answer to the two major questions posed above: how much of Yorkshire was open, and how much of it enclosed before the great flood of enclosure by Act of Parliament which began in the third decade of the eighteenth century, with the enclosure of Thurnscoe (1729)?

The evidence which the glebe terrier tool provides is most easily laid out in tabular and list form. Such evidence will be found at the end of the article. But important as such a methodical list is, it cannot hope to make anything but dull reading by itself, and for that reason it has been isolated from the body of the narrative. The major portion of the article is devoted to an account of glebe terriers and a demonstration of their utility to historians. Necessary as this is, to explain how the County List at the end of the article was arrived at, it is also hoped that a brief account of the method of investigation will be useful to those who may wish to use the glebe terriers of other counties for a similar purpose.<sup>1</sup> The later part of the article then embarks on a tour of the open field village with the help of the terriers, and suggests some conclusions on the extent and character of

<sup>1</sup> I have contributed a parallel study of Leicestershire glebe terriers and open fields to "*Studies in Leicestershire Agrarian History*" ed. W. G. Hoskins (Leicester, 1949).

Yorkshire open fields as compared with the text-book open fields of Midland England.<sup>1</sup>

## I

In essence, the glebe terrier was a written description of the land belonging to a particular church. Many of them were headed "a true terrier or description". The core of the word *terrier* is the French word *terre* or the Latin *terrūm*. The glebe terriers are now to be found among the archives of the English dioceses and arch-deaconries,<sup>2</sup> and some have been copied into parish registers or preserved in parish chests. The terriers began to be compiled at a time when it was essential for the Church administrators to know the extent of the endowments of the parish churches. In the late sixteenth century, lands were changing hands rapidly, the ex-monastic lands were still circulating in the land-market, the Queen was acquiring bishops' lands, and in the general scramble for land it was dangerous to have a disputed title. The law courts were peopled with those men who hunted out "concealed lands" with bad titles, either for blackmail or for reward. One reaction of landowners was recourse to the surveyor,<sup>3</sup> a new profession.

Tithes, too, might disappear if a careful eye were not kept. The documents published by Dr. Purvis show how much a cause of litigation tithes were, and how much time and energy were devoted to the evasion of the enforcement of these dues.<sup>4</sup> The sale of the monastic lands to laymen had made many land-speculators possess tithes, as the monastery had before them. Changes of incumbents added to the uncertainty, and there are instances in the terriers of lands which had once been glebe, but which had now proved untraceable.

The Canon of 1571 ordered

"a bishop shall see that a true inventory, which they call a terrier, shall be made of all fields, meadows, gardens, orchards belonging to any Rectory or Vicarage by an inspection made by worthy men : it shall be brought to his Registry for perpetual reminder."<sup>5</sup>

There are no terriers of this date surviving at York for perpetual reminder, although Warwickshire has one (from Lichfield diocese) for 1584. At Lincoln, a terrier of 1601 for a Leicestershire parish copies one of 1579. The earliest York terrier appears to be dated 1613.<sup>6</sup> By that date there was a further Canon, Canon 87 of

<sup>1</sup> Such as C.S. and C. S. Orwin "*The Open Fields*" (Oxford, 1938) or H. S. Bennett "*Life on the English Manor*" (Cambridge, 1937).

<sup>2</sup> Sc. E. R. C. Brinkworth "*The Study and Use of Archdeacon's Court Records*" in Transactions Royal Historical Society, 1943, pp. 93-121.

<sup>3</sup> B. M. Egerton MSS. 3160, F. is the only example I have found of a surveyed glebe map of the seventeenth century. It is of Hatfield, Yorks.

<sup>4</sup> Y.A.S. (R.S.) vol. cxiv (1949).

<sup>5</sup> "*Liber Quorundam Canonum Disciplinae Ecclesiae Anglicanae*" sub. art. 'patroni et proprietarii'.

<sup>6</sup> That for Kirkby Overblow at the Diocesan Registry. Unless otherwise stated, all future citations of terriers are from this source.



1604,<sup>1</sup> which repeated the general instructions of 1571, adding buildings, goods, rents and tithes to the endowments which shall be listed. One of the witnesses to the document, the two "worthy men", shall be the incumbent.

The Canon Law of the Church of England still orders the making of glebe terriers, although the modern Canon includes such un-Tudor items as church safes, stocks, shares, annuities and Diocesan Record Offices.

The Yorkshire terriers now lie in the Diocesan Registry, where Colonel Innes Ware kindly permitted their examination. They are grouped by archdeaconries and bundled roughly into years,<sup>2</sup> with the exception that all the pre-1716 terriers are gathered into one bundle per archdeaconry. There is a good nineteenth century list and index, although the terriers are no longer tied together in the numerical order established by this list. Most terriers consist of a sheet of paper or parchment, sometimes two or three pieces fastened together. Occasionally the terrier is a paper booklet or a long six foot membrane of parchment.<sup>3</sup>

For the purpose of this article, all the terriers made before 1716, and those made at the Visitations of 1716, 1726 and 1743 were examined. The total number was not counted, but, in these four yearly groups alone, there were 126 for parishes beginning with letter "A" and 241 for letter "B".

The terriers at the Registry bear the signatures of the incumbent and one or two churchwardens. It would seem that the parish kept its own copy, often using the Parish Register for the purpose. The York copy of the Kirby Underdale terrier for 1663 is headed :

"a terrier of the gleab land . . . extracted out of the register book of the said church."

At Welton in 1685 it was noted that the terrier which was being sent to York was one

"which we find to differ in som particulars from a terrier delivered anno 1628."

No terrier for that year appears at York. At Methley in 1727 the parish officers had access to a terrier of 1592 (itself described as "revised") on which they comment :

"nor is there any alteration that can be discovered."

<sup>1</sup> "*Canones sive Canones Ecclesiastici*" (London, 1604) as printed with the 1571 Canons in "*A Collection of Articles*" printed by Robert Cutter and Joseph Clark.

<sup>2</sup> The terriers follow visitations, so that most parishes have terriers for 1716, 1727 and 1743. The dates 1613, 1684, 1685 and 1693 occur frequently among the older terriers, but it is not possible to say whether the absence of many terriers is due to the loss of documents or the deficiency of seventeenth century registration.

<sup>3</sup> Burton Agnes terrier 1716 is a neat six page booklet made by binding sheets of note paper. The Hutton Bonville terrier (n.d.) is only one and a half by two and a half inches !

Where the terrier was lost, the memory of the village was called upon :

“a terrier for the Gleabe land we cannot finde, but as far as we know or can learn or antient mens accounte it is as followeth”

begins the 1662 Addingham terrier (parish register copy). At Kirkburton in 1684 the terrier for the bishop was clearly being copied from a book, for it ends :

“the truth of all which particulars in the two pages preceding we affirm”

—and yet the document is a single sheet of parchment !

The core of the terrier is the detailed survey of the land belonging to the church : but other information is given of an economic character, notably that of the tithes customary for the particular parish.<sup>1</sup> For the student of the personnel of the Church of England there are the names and signatures of incumbents; for the student of architecture there are descriptions of rectories and vicarages and their surroundings. At Leeds in 1716 there was

“one dwelling house, one stable, one close, one orchard, two gardens . . . being bounded by a stone wall by Kirk gate on ye sowthe, by Vicar lane on ye west (by houses on the north and east).

Less happy was the curate of Monk Fryston (1716) who had a cottage of

“one small room on a floor and one upper room called the Priests House where the curate hath sometimes lodged when his yearly salary was only two pounds . . . and to this poor cottage adjoins a garden shed.”

At Acklam in 1693 :

“a meane low thatched mud wall house together with a bakehouse and a parcell of ground.”

And the student of church life in the eighteenth century will pause at the plaint in the 1716 Marton (Cleveland) terrier which is signed only by the incumbent's father, who writes :

“ye churchwardens and parishoners scruple and will not sign till compelled wh I certify . . . the old times whn their curate was a daylabourer or a mower. They are a people so penurious that they grudge another any better wages.”

## II

We must now turn and examine what the glebe terriers reveal of the open field economy through the years of their making. The glebe land in any parish consisted of the accumulated gifts of the faithful, and might be anything from a few acres to an estate as large as any freeholder's in the parish. In some cases it was farmed out for a cash rent to a layman, in others it was

<sup>1</sup> Such as tithe salmon at Acklam in Cleveland (1693 terrier).



worked by the parson himself. Its interest for us lies in the fact that, where the estate of the glebe included any land in the open fields, the method of description is such that the terrier looks quite different from that of a glebe estate which was in closes. Where the glebe included strips of land in one or more of the open fields of the parish the document will inevitably be larger : for the strip of land has to be identified beyond doubt, and differentiated from the hundreds or thousands of similar strips belonging to other landowners in the fields. This involved locating it first in its furlong or flat, and in its Field, and then sharpening the precision by naming the owners of the neighbouring strips of land on either side. This operation may have had to be carried out for a strip of land which did not exceed half an acre. Where the glebe land ran into some hundred acres and the compiler of the terrier was a conscientious surveyor, there the six foot membranes of some seventeenth century terriers are understandable. On the other hand, where the glebe consists wholly or partly of closes of land, the task of description is simple and the area of paper taken up is small. A close can be described by name, and no one will confuse it with another, for there are not thousands of closes as there are thousands of strips. Add its area in acres, and the survey is complete, with a score of words and a line of writing, instead of fifty or sixty words and several lines of writing.

For this reason, the physical appearance of a terrier where the glebe was in open fields is as clearly different from a terrier of enclosed lands as the open field landscape was from the enclosed landscape. Instead of a bulky document, a small one : instead of a landscape of thousands of small scattered strips, a new landscape of a few large hedged or walled enclosures. This difference of appearance in the document will be discussed again later when we look at the terriers as evidence for enclosure.

The open-field terrier, with its array of detail is not, and was not, easy to read when its text is in continuous lines of writing without paragraphs, headings or indentations. Luckily, the minority only are in this form. For the convenience of the Registrar (and now of the historian), the common practice was to lay the document out in tidy form. Two lay-outs were popular. In the first, each of the three or four open Fields is given a column to itself, and the column dignified with a boldly-lettered heading of the Field name. Within the columns, the individual strips are allocated one line each, with the strips grouped in paragraphs corresponding to a furlong or flat. In the second lay-out, the division into Fields is as marked, and the headings as bold : but the document is divided horizontally instead of vertically. The first type of lay-out produces a large rectangular document. The second generally results in a long narrow document, rather like a small court roll.

As the years pass, some details within the terrier will change. The names of the neighbours who own adjacent strips will change.

The Field names may change, as we shall see. The very area of the glebe may change. A careless incumbent or a greedy lay impropiator may have dissipated it. At Addingham in 1662 the terrier confesses that there are two closes :

“which hath beene reputed to have beene of the Gleabe land, and is in the occupacon of one Thomas Greene and he saith it is his land, and our Minnister clameth it for his, but whose of right it is we know not.”

At Bardsey in 1663 the terrier identifies the villain of the piece :

“24 acres pertaining to the parsonage are in the lord’s hand.”

At Burythorpe in 1716 the memory of the Commonwealth is still green after half a century, for

“the gleab land which formerly belonged to the Rectory was taken from it in Oliver’s time and inclosed by the freeholders against the mind of the incumbent and when there was neither patron nor bishop, and sett out 20 acres.”<sup>1</sup>

Kirby Underdale (1663) is similar to Bardsey—there was land in Garrowby but it had been stolen away by Henry Rimington of Thixendale. Brafferton had land in four Fields in 1614, as well as meadows and closes, but in 1685 the terrier had no land to report. That this might be carelessness, and not always the result of illegal appropriation, appears from those terriers where the officers declare that there is no glebe, when both earlier and later documents show clearly that there was.

The greatest change in the location and even in the area of the glebe would be at the enclosure of the village fields. Like the other freeholders, the incumbent would be given land in exchange for his strips. We shall examine some evidence of this important change in agricultural routine later. As far as the total area of glebe went, the new allocation of closes might be equal in area to the sum of the former strips, with perhaps a deduction for expenses. Or there might be an increase in area when the opportunity was taken for a commutation of tithes. In such a case, the villagers would agree to grant the incumbent a close or closes in lieu of tithes, in addition to any closes due to him under the enclosure exchange.<sup>2</sup>

One other event brought an increase to the glebe. It was always possible for the freeholders to agree that a portion of the common should be enclosed and allotted to the use of the Church. Such agreements do not seem to have been common, as one would

<sup>1</sup> The North Burton terrier of 1685 looks back at the end of “Oliver’s time” as “the act of indemnitie and the kings happie return”. The spelling “inclosure” is retained in documents quoted in this article, but the modern form is used in the text.

<sup>2</sup> Thorpe Bassett terrier 1743 : “upon ye inclosure in 1718 the Commissioners settled upon a composition”. Although this is a pre-Parliamentary enclosure, those who carried out the enclosure are already being called ‘Commissioners’.



expect in an age of sectarian feeling.<sup>1</sup> But agreement was reached at Bramhope, for the 1716 terrier records

“in the year 1650, 120 acres of land were inclosed out of ye comons of Bramhope by consent of Mr. Dynsley and ye freeholders.”

At Baildon a terrier of the same year records a similar agreement :

“one little garden inclosed 1667 for the benefit of the minister by the chief lords of the manor and the consent of the freeholders, and in 1688 an inclosure of common granted by the lords of the manor and freeholders as appears by an indenture dated 26th June . . . 15 acres.”

A similar agreement may be inferred at Hutton Roberts, where the 1663 terrier has

“a new inclosure taken of the common.”

Such an arrangement would have been possible without any burden on the freeholders in an area (like Yorkshire) where many villages lay on the edge of, or in the heart of upland moorish country with more than enough land to satisfy the needs of the community.<sup>2</sup>

The augmentation of the incomes of the clergy by such means as this received statutory backing in the Act of 12 Anne cap. iv.

“An Act for making Inclosures of some part of the Common Grounds in the West Riding of the County of York, for the endowing of poor vicaridges and chapelries for the better support of their Ministers.”

The abundance of waste in the West Riding was matched in the early eighteenth century by the increase of population in the prospering woollen villages. The parishes of moorland areas are usually larger than those of the more populous plains, and at the time when the parish boundaries of Yorkshire had been settled, it was the Vale of York which was dotted with villages and men, and the uplands which were only sparsely peopled. The manufacturing villages of the West Riding were the expanded hamlets of such large, once empty parishes. The ancient endowments of such parishes were in proportion not to their eighteenth century, but to their medieval populations. For remedy, the Act permitted the enclosure of up to 60 acres of common to endow the Church or Chapelry where the Lord of the Manor (or the majority of Lords, if there were more than one Lord) gave his assent, and where three quarters by number of the freeholders also assented. Ministers who might benefit were those who were resident, and whose income did not exceed forty pounds a year. I have not been able to trace a similar Act for any other County.

<sup>1</sup> In 1610 there was a Chancery Decree ‘for improving the waste of Rastrick [10 acres] for the use of the Chaplain’ (P.R.O. D.L/5/3).

<sup>2</sup> So that every weaver’s cottage had its “small inclosures from two to six or seven acres each”. [Daniel Defoe, “*A Tour through Great Britain*” (ed. of 1769) iii, 144].

Under the terms of this Act (as appears from the terriers of 1716, 1727 and 1743) the following churches or chapelries benefited :

Ardsley East (24a); Aughton (16a); Bardsey (60a); Hunslet (6a); Idle (24a); Bramley (40a. and 20a); Swinton (59a); Pannal; Woolley (60a); Darton.

Other places had hope deferred :

“the chapel of Tossett is standing in the north part of Gisburn forest built above 120 years ago”

says the terrier of 1743 :

“but thereunto nothing is settled upon it. In 1740 notice was given that an augmentation would be given, but nothing perfected.”

Other terriers show private endowments being added to the glebe, as at Hunslet where in 1636, seven years after its foundation, the chapel received an endowment of rents from divers inhabitants to the sum of £13 6s. 8d. In 1699 an Alderman of Leeds left an annuity of £2 10s. 0d. in his will; and 6 acres of Hunslet common were enclosed under the terms of the 1713 Act in 1714. At other places augmentations under Queen Anne's Bounty swelled the glebe, so that successive terriers will describe larger holdings.

### III

We may now look at the open field village through the eyes of the glebe terriers.

Taking the document from the parish chest we may climb the church tower with the incumbent as our guide. From this point of vantage we can take in most of the parish. We shall not get the same sort of view from all Yorkshire church towers, for the county embraces both the typical Midland type of village, growing mainly corn crops, and, at the other extreme, villages which are almost entirely pastoral, with the main economic effort put into grass crops and animal rearing. Between these two extremes will be many villages with an open field economy on the Midland pattern, but with important rights of pasture and common upon adjacent uplands.

Broadly speaking, it is in the Vale of York that we shall find villages which resemble Midland villages—for here the soil, the climate and the settlers were not all that different from the Midlands. It is on and near the Wolds that we shall expect to find pasture rights as important assets in a glebe estate which does not lack a solid core of open fields. It is in the Dales and on the Yorkshire Moors of the North Riding that we shall find the village whose economy is predominantly pastoral. These differences will be reflected in the terriers.



The sign of the pastoral element is the word "gates". These will be sheep-gates, cow-gates, horse-gates or just beast-gates. The owner of a sheep-gate had a right to turn out a standard number of sheep on the common pastures: in the phrase of lawyers, this was his stint. The quota unit varied from parish to parish, just as the standard peasant arable holding (the *oxgang*) varied in area. But the recurrence of these standard quotas is significant. Even a large landholder will still have his large holding assessed in multiples of this quota. It is difficult not to see here a relic of the early medieval economy when each settler had assigned to him an equal share of what arable had been won from the waste, and an equal share in the number of animals who might feed on the stinted pasture. Subsequent buying and selling, gifts, inheritance or partition destroy that equality: but its former existence is preserved in the retention of the *oxgang* and the *gate*.<sup>1</sup>

These pasture gates can be seen in the seventeenth century Folkton terrier (undated) with its

"4 beast gates in ye comon carr for each of 8 oxgangs."

Here, each arable unit (and the incumbent possessed eight units) carried with it the right to pasture four animals. At Skirpenbeck the unit varied from year to year. In one year it would be six gates, in the next, five.<sup>2</sup> Each of the oxgangs (the incumbent had four) at Kirby Grindalyth (1716) had its 15 sheep and 1 horse to pasture as well as 1 beast-gate in Mowthorpe Field. At Settrington in 1663 the incumbent had 32 cow-gates and 240 sheep-gates,

"on the town wold, common between Michaelmas and Lady Day."

At Westow in 1685 there appears to have been an agreement to enclose the common and to give every owner of gates a close in exchange. The terrier assigns:

"one close of pasture in Firby in lieu of 4 pasture gates."

All the villages which have been named so far were "mixed" in their economy: they have their open fields as well as their pastures. The higher we climb, the more the pasture element enters: but the open fields ran far into the Pennines along the dale floors, and their physical remains can still be seen in the most remote and unexpected places. This type of evidence will be treated in a later article.

Even in the Vale of York it would be wrong to see the open field village as wholly a corn-growing one. Any examination of

<sup>1</sup> The Stillingfleet 17th century terrier (n.d.) speaks of "oxgates" where other terriers would use 'oxgangs', i.e. as a unit holding comprising arable, pasture and meadow rights. If this equation is not just a slip of the pen, then the "oxgang" was the bundle of rights which included an oxgate of pasture-right.

<sup>2</sup> "six gates when Wood Field is corn and five when it is fallow," 1685 terrier.

the tithes listed in terriers, or in the law-suits which found their way to the courts, discloses what a wide variety of economic produce was being grown in the village in the seventeenth century.<sup>1</sup> By the date of the earliest terriers—the reign of Elizabeth—the simple medieval cropping has been modified to permit new crops. Many of the strips in the open fields are growing not corn crops but grass: terriers will be found which divide their list of strips into those which are “arable” and those which are “grass-grounds”. These strips are still physically and administratively part of the open field strips, among which they lie intermingled. At Foxholes in 1698 was :

“4 oxgang of arable, and pasture in every ffall.”

We shall not then, expect to see (as we gaze again from our church tower) a countryside entirely given over to arable. We shall recognise the green of grass as a part of the economy as valuable as any brown, ripening crop. Yet to our twentieth century eyes, the meadow and the pasture and the woodlands of the unenclosed village will not look very different from meadow, pasture and woodland to-day. It is in the arable fields that our eyes would immediately notice a quite different scenic pattern, and this different scenic pattern is the reflection of a quite different way of organising the agricultural routine and the ownership of land.

We might first notice that not all the arable is sown: a quarter or a third of the area is fallow. The fallow land was not idle or barren: the animals pastured upon it were fertilising it, and it was being fed as well as rested. Next year a different quarter (or third) of the village would be rested. This alternation is reflected in the Skirpenbeck terrier of 1685, for there the pasture rights are expressed as :

“6 gates when Wood Field is corn and 5 when fallow”

the fallow providing some compensation for the diminution of pasture in that particular year.

That extract from Skirpenbeck has brought us to the Field. The *Field* in the open field economy is the largest unit of organisation. It is the unit of the fallow rotation: one Field is fallow each year. In the earliest days it would seem that holdings of land consisted of the same number of strips in each Field, so that each holding had, each year, a unit number of cropped and fallow strips. The seventeenth century undated Ferry Fryston terrier has six acres of glebe in each of three fields (named North, Middle and South). In 1663 at Askham Richard were six acres of glebe in each of three Fields, named East, Middle and West. At Etton in 1685 :

“the gleabe conteyneth 45 acres of arrable by comon estimacon whereof 15 lyeth in our south field, 15 in our midlefield and 15 in the north Field.”

<sup>1</sup> Especially in Dr. Purvis' book cited above.



But such equality is rare. The average terrier will describe lands in each of the Fields, but an unequal amount in each Field. For this inequality one must blame the centuries of sale, barter and partition which separate the first settling of the fields from the seventeenth century terrier.

The Fields were compact geographical units, each comprising an area which might be as large as a quarter of all the parish area. They were clearly much larger than anything we know as fields, and in this article they are spelt with a capital F to differentiate them from the field. The significance of the Field as a unit is emphasised in the terriers. Nearly every one of them divides the arable which it is surveying into the Fields, underlining the division by bold headed lettering for the Field names, and dividing the document horizontally or vertically into as many divisions as there were Fields. Each Field was known by a name to its farmers, and those names are transcribed in the list which follows this article. There is no case in Yorkshire glebe terriers of a Field being known merely by a number.

In naming a Field the villagers most commonly took the compass direction as a sufficient identification. A glance down the list at pages 354 to 368 will show how many *North*, *South*, *East* and *West* Fields there were. If there were three Fields in a village, then the one in the middle shouted out to be called the *Middle* Field. Where the ground rose or fell we have the *Upper* and *Lower*, the *Nether* and *Further* Fields. *Church*, *Hill*, *Ing*, *Bottom*, *Wood*, *Mill*, *Street*, *Wold*, *Underhill*, *Well* or *Carr* Fields are all pointers to a physical feature which identified the Field, and when we are seeking to reconstruct where each Field lay around the village, we can glean valuable hints from these directional and geographical names.<sup>1</sup>

These names are not always permanent. Perhaps a Field had two names in common use. At Barnbrough the compiler of the terrier called one Field *St. Ellen* in 1684, but *Hellens* in 1727, and some terriers will give a name followed by 'alias' another name: 'West alias Mill Field', so that when we find a name changing from terrier to terrier we need not assume a sudden fickleness in the way the villagers christened their Field, but the fact that one set of churchwardens preferred one name and their successors another. Minor variations in spelling reflect only the general fluidity of place-name spelling before the days of the Ordnance Survey and the Post Office.

Examining the bundles of terriers (or looking from church towers) will also show us how many Fields there were in the

<sup>1</sup> We shall be helped in the lowland villages by the fact that the older pre-Parliamentary enclosure lanes often formed the Fields' boundaries. These older lanes (often with bends at furlong ends) are usually like three spokes of a wheel, centring on the village, and dividing the parish area roughly equally into the four areas which were the Fields. When we then find North, South, East and West Fields in the terrier, identification should not be difficult.

village. For the villages in our list the distribution can be seen on page 353.

There is a unit in the open field economy mid way between the Field and the single strip of land. This unit is called the *furlong* in Midland England (and in some Yorkshire villages), but the more popular Northern word is *fall* or *flat*. The glebe of Kirby Grindalyth is described in its terrier as :

“4 oxgang lying in the falls in the Fields of Kirby.”

At Butterwick (1716) :

“let it be understood . . . that in every ffield there is one or more ffall; in each ffall there are lands that belong to the parson of ffoxholes (in Butterwick).”

At Colthorpe (1662) the furlongs are “furshotts”. At Catwick we get in the 1685 terrier some measurements of the falls :

“each ffall is 8 gads wide and each gad is 8 foot.”

The physical sign of a *furlong*, *fall* or *flat* would be very clearly discerned from our seventeenth century church tower. The thousand or more strips of the Fields are clearly grouped in bundles. Inside the bundles the strips all run the same way : their sides are parallel. But the next bundle may very well run in a quite different direction, usually at right angles to the first, so that the whole landscape is a huge patchwork, the patches of which are the furlongs. Each of these furlongs (like the Field), had a name, and the location of the individual strips which made the glebe is given in the terrier by placing the strips in the column of their Field, and, within that column, in the paragraph headed by the furlong name. These names are often given in the left hand margin, slightly projecting from the lines of writing. In any village there would be approaching a hundred furlongs, and the multiplicity of names has made the task of listing furlong names too bulky for this article.<sup>1</sup> But the student of place-names will find the terriers invaluable for these minor names :<sup>2</sup> many of them still survive as the names of modern fields which lie across the place where the medieval furlong went. It is not possible here to lay out the evidence, but it is probable that a single furlong represents one season's intake of fresh arable land from the waste at the time when the village was being settled and the fields won from the natural forest. The fields were not won from the forest at one jump, but painfully and over many generations. The plough ate only slowly into the waste, and each stage of conquest was marked by a fresh accession of land, shared out among the conquerors. The patchwork resulting can best be seen in a pre-enclosure map where the map is completely covered with the

<sup>1</sup> In a few terriers the Furlong names are the only names given, and the Field divisions are not recorded. In one or two instances where twenty or more “Field” names appear, these must in fact be Furlongs misnamed.

<sup>2</sup> “The paucity of minor name material” was lamented by the editor of the Place Name Society's East Riding volume in 1937, but his bibliography seems to indicate that terriers were overlooked.



successive furlongs, rather as each flower bed in a newly cultivated garden represents one different week-end's work in taming the waste.

It is because the furlong was created in the very act of making fields that there survives in some terriers a pointer to the pristine state of the furlong. This pointer is the fact that within the furlongs the single strips belonging to one villager have a symmetry and order. This is best seen at Langtoft in the 1743 terrier where the 6 oxgangs of the 1726 terrier are further particularised :

"being the 11th, 12th, 26th, 27th, 30th and 31st from the bank on the south side of the flat through out the Fields."

Here, in every bundle, wherever it lay in the Fields, one could tell the glebe holding simply by counting the strips from the south end of the furlong. At Wetwang we have the same principle:

"2 oxgang of land throughout all ye ffeildes lying next one oxgang of land of William Moores."

where both the glebe and Moore's strips have a patterned distribution. Another oxgang at Wetwang :

"throughout every fall in the feildes lying between ye Parsonage land and Walter Taylor except in Tussells (fall) where ye viccaridge wants ye oxgang."

The exception to the Wetwang general rule is significant enough for the terrier to note it. Something of the same regular distribution seems to lie behind Thwing's :

"one land called ye forty lands in every fall of Thwing Fields"

in the 1685 terrier, which seems to indicate that the glebe strip is number forty in the falls. In the same year at Heslerton West there is :

"four oxgangs joyning all thorough on the grounds of Mary Dunkin east and north, Robert Dunkin west and north,"

which may indicate the same situation (though possibly an enclosure). At Great Givendale in 1684 there is :

"one oxgang of land in every field butting always on the common balk and upon my lord Howard's land"

and at Butterwick in 1716 :

"in every ffall are two lands lyeing together."

Such a regular distribution was (I believe) once much more common. Alienation and consolidation of holding distorted it, but it mirrored the conditions of early settlement, just as did the shape of furlongs. A newly won piece of land was divided among those who had put their energies to the plough, and within the bundle a rough order was preserved, one settler having always (say) the eleventh strip from the end. Naturally such a regularity

could not be preserved very long, for the number who had to share a bundle, and the very size of the bundle next brought into cultivation might be different. But is it not also natural that the holding which never changed its owner should preserve its situation and its regularity of position longest?—and the glebe holding, always the property of that deathless corporate body, the Church, was within the bounds of such a possibility. We are now, indeed, in a position to assemble from the terriers all the perquisites of a single holding in the primitive open field village—a group of arable strips per settler, regularly laid out in furlongs over the cleared land; pasture rights assigned equally to each settler in his *gates*; and, of course, a large number of obligations, the quantity of which depended on how many units of holding a man possessed: so many yards of fencing, so many yards of road repair, so much of the churchyard wall per unit, per oxgang.<sup>1</sup>

Another link in seventeenth century terriers carries us back to medieval times, and even to the time of settlement. For some glebe lands were still assessed by a unit of measurement which was practical, and which was older than any unit of area. It was simply that of assessment by the time it would take to plough.<sup>2</sup> At Addingham the 1716 terrier is speaking of closes, and yet it describes them as

“being six days ploughing.”

At Rastrick in Elland in 1727 the glebe was 23 days’ ploughing, and at Kirkburton in 1684 :

“a close containing six days work with a plow and a close of meadow containing four days mowing.”

At Keighley :

“a parsonage house with three days work and one halfe days work of land adioning thereto, with 6 days work in the Hye ffield and one days work in the Town ffield. This is in the parsons own occupacion.”

In addition the land of five tenants is assessed in similar terms, e.g. :

“one days work lying on the north of the common town ffield of the town . . . three quarters of a days work in Eastwoods.”

The documents do not make it clear whether it was a full working day’s labour which is the unit, or (as in so many medieval documents) a working day ending at noon.<sup>3</sup>

<sup>1</sup> Butterwick terrier 1716 : “the fences of the chapelyard are maintained by every inhabitant in proportion to his oxgangs”.

<sup>2</sup> A nineteenth century terrier at Holmfirth church speaks of lands containing by estimation thirty-three and a half days’ work. I am indebted to Mr. W. S. Rodgers for this reference.

<sup>3</sup> H. S. Bennett op. cit, p. 103.



## IV

The holding which consisted of a large number of single strips scattered throughout the Fields was not attractive to sixteenth century eyes. The diseconomies of working such a scattered holding were widely aired, and publicists also argued that only the consolidated holding had a chance of technical improvement. Landowners also saw the solid block of adjoining strips as a step on the way to total enclosure, as we shall see later. We shall not be surprised therefore to see in the terriers that within the frame of the still-open field village much consolidation of strips into blocks has taken place.<sup>1</sup> At Butterwick the two strips in every fall which we have noticed, lay together. The glebe at Folkton in 1716 consisted of 130 strips, grouped as follows :

- 29 blocks of four strips lying together
- 3 blocks of two strips together
- 1 block of seven strips
- 1 single strip.

In 1662 at Londesbrough :

“the glebe upon ye High Wolds lies in falls altogether.”

The closes which make up the glebe at Thorpe le Street in 1629 (Nunburnholme terrier) are called “lands”, (i.e. strips) “all together”. At South Kirkby the glebe consists of four flats in Windmill Field (1684 terrier) which have 30, 25, 32 and 23 strips in them. And to these examples we must add the many ‘old enclosures’ which the terriers will show us as already successfully made. The Northallerton terrier of 1685 shows that there are still open fields, but there are also tithes of the already “old inclosures”. Each of these represented closes made up in lieu of scattered strips, and the size and shape of these closes on the Ordnance map to-day (long and narrow fields) bears witness to their origin : a bundle of adjacent strips walled or fenced as they lay. Within the walls can be seen the ridge and furrow which marks the remains of the single strips.<sup>2</sup>

Meadows were commonly enclosed before the strips of arable, for the open field meadow was never permanently divided into strips. The individual villager’s meadow land was staked out yearly and many villages had the custom of lotting for the best positions. To enclose the meadow was a simple matter of surveying and arithmetic. The Northallerton terrier just quoted notes that :

“Overton meadow was inclosed in ye yeare 1634.”

<sup>1</sup> e.g., Marston 1656 indenture : “the severall lands dispersed within the fields of Howton Wandslay, which for their more convenient occupacion, they are agreed to exchange other with other . . . to be at their cost and charges forthwith ditched and quicksett.”

<sup>2</sup> The air photograph of Thornton le Dale shows that the part of the parish west of the stream, enclosed before 1685, has fields made up simply by fencing around bundles of strips.

At Stonegrave the 1685 terrier notes :

“ye carr inclosed about x yeares since.”

The 1716 terrier for the same village puts the date of the enclosure at 1670.

But the total enclosure of the arable strips was a more complicated matter, if only because of the complexity of the legal position. Only at the close of the sixteenth century did anti-enclosure Acts cease to appear on the statute book, and in the seventeenth century many enclosers found themselves fined, legally or illegally, by the impecunious Charles I. Where all the freeholders were agreed that enclosure was a good thing, and the lord of the manor's assent was given, it was possible for the enclosure to be carried out and enrolled in the Court of Chancery for legal security (although the means was an often fictitious law suit). Settrington and Brandesburton were enclosed in this way, and it is hoped that later search of the rolls of Chancery in the seventeenth century will yield other examples of Yorkshire enclosures by agreement.<sup>1</sup> There must have been many such enclosures, if only because of the number of places which have no Parliamentary enclosure to account for their hedges and walls.

The terriers enable us to begin (although not complete) a list of pre-Parliamentary enclosure between the years 1595 and 1730. This is possible simply because the glebe could not help being affected by enclosure, and the change mirrored in the terrier. Where the villagers' strips are converted to hedged closes, then the glebe strips will also be converted, and the next terrier to be made will be a list, not of many strips, but of a handful of closes. The glebe at Foston in 1662 consisted of strips in three Fields, Barugh, Sike and West. The 1716 document is much shorter, for the glebe is now in closes. An enclosure will also be mirrored in the tithe part of the terrier if a composition for tithes (as often) accompanied the enclosure. In some terriers the actual fact of the enclosure will be mentioned, and not left to us to infer from the document.

At Burythorpe the 1716 terrier recalls the events of the Commonwealth when the glebe of the Rectory

“was taken from it in Oliver's time and inclosed by the freeholders against the mind of the incumbent and when there was neither patron nor bishop . . . sett out twenty acres.”

Burton Agnes terrier 1716 tells us :

“Grandsmoor was inclosed 1702.”

At Brandsburton the terrier quotes an agreement for the composition of tithes and adds :

<sup>1</sup> The text of the Brandesburton decree will be found, *sub loco*, in Poulson, *History of Holderness* (1845-9). The earliest Yorkshire enclosure by agreement which I have yet found in State records, is that for Great Broughton (North Riding) 1629. (PRO, Sp. Comm. Exch. 5756).



“ye exemplification bears date March 25th in the tenth of king Charles the first whereupon at the inclosure of the township the tithes of ye Lordshipp were compounded for.”

The lands at Darfield in the 1727 terrier, which were open fields in 1690, are described as :

“inclosed and exchanged.”

The Dunnington terrier for 1716 speaks of a composition enrolled in Chancery which may well be part of an enclosure agreement. At Goodmanham the 1637 terrier recalls what had happened in 1595 :

“parcels of the said nine oxgangs of arable land inclosed by Sir Marmaduke Grimston knight two and forty years since or therabouts and now withheld by Walter Hawksworth from the Rectory of Goodmanham.”

At Kirby Underdale two stages may be discerned in the enclosure. The 1663 terrier describes Whin Close, a close of 47 acres, as being in exchange for 49 acres in the two open fields, North Field and South Field, the exchange taking place in 1638. But here the enclosure is not one for the improvement of the arable crops but of the pasture, for the terrier continues :

“tillage was laid down anno 1583.”<sup>1</sup>

At Hutton Wandsley the enclosure had taken place in 1656, for attached to an undated Marston terrier of the seventeenth century is an indenture dated May 8th, 1656, recording that the freeholders (and the glebe) had :

“the severall lands dispersed within the fields of Howton Wandslay which for there (sic) more convenient occupation they are agreed to exchange other with other.”

The glebe strips were to be exchanged for a close of 5 acres 1 rood in the former Middle Field upon the west side of the highway, and these new closes were

“to be at there cost and charges forthwith ditched and quickshott.”

The terrier tells us that the former glebe strips had lain in four Fields, Church, Middle, Holme and Far. At Routh the fields are open in 1685 and in 1716 are :

“ye late inclosed lands with all ye tythes commuted.”

The Thurnscoe terrier of 1675 has annexed to it a document which shows that the Archbishop was consulted when an enclosure was projected. This document led me to a search of the Archbishop's registers for other evidence of enclosures, but the results of that enquiry will best fit in with a later study of pre-Parliamentary enclosure in the county. The Thurnscoe deed is worth transcribing :

<sup>1</sup> In Londesbrough the 1662 terrier speaks of “a flatt not ploughed in any man's memory”.

“We Richard Archbishop of York . . . whereas William Spencer, Rector of Thurnscoe, hath by Thomas Holmes public Notary, a proctor, appeared before us and alledged thate the gleave land belonging and appertaining to the Rectory of Thurnscoe aforesaid doth lye scattered and dispersed in the town feildes and other grounds of the said parish and very inconveniently and incommodiously for the parsonage and that William Earl of Strafford patron and William Spencer have agreed and desire to exchange the same gleabe for other lands of a better value laid more compactly and conveniently to be improved, and requested that their exchange may be confirmed by Our authority . . . We, having regard to the good benefit and advantage of our said Church (commission you) . . . to take a view of all the said lands and render your judgment to us . . . 14th February 1675.”

In the same way other glebe terriers yield information about pre-Parliamentary enclosure. The relevant dates will be found in the list of terriers following this article, for the fields of Settrington, Sigglesthorpe, Westow and Firby, South Kirkby, Guiseley, Gargrave, Kirkburton, Laughton, Paul, and of Pocklington.

The Pocklington terrier, dated 1733, refers to a recent enclosure of the townships of Yapham and Meltonby and states :

“there is an agreement upon an Inclosure settled by Commission.”

There is in fact no Enclosure Act and no Commissioners appointed under it. It would seem that this is one of the many villages which did not feel that it needed the authority of an Act either to confirm the agreement to or bring dissidents into line. It is significant that the name given to the officers who arranged the technical side of the voluntary enclosure—Commissioners—is later given to those who executed the general provisions of Statutes for particular parishes.

The terrier for Thornton le Dale in 1685 reveals that the fields of that village were in two very distinct halves. There were three Fields “on the east side of the beck” which were named Bottom, Middle and East Fields. But on the west side of the beck there were three large Fields of arable with pasture and meadow now enclosed in divers parcels consisting of eighty-four oxgangs.

The Ordnance Survey map shows the existence on the west side of the village of a number of long, narrow (often slightly twisting) fields. The air photograph is even more convincing, for it shows that each of these long narrow fields embraces a few strips of the medieval fields, the method of enclosure being apparently the rough and ready method of walling or fencing sufficient strips to make up the required area, and then allocating them to one man.



The method of the later Parliamentary enclosure was quite different, for the Commissioners tended to take little notice of the existing alignment of strips and furlongs, and to draw their new hedges around rectangular fields which were nearly as long as they were wide. Such field boundaries (as almost any air photograph will show) cut right across the line of the medieval strips.

This glimpse of Thornton, half enclosed in 1685 and the other half unenclosed until the Act of 1780, is a warning against seeing enclosure as something which descended on a village (whether by agreement or by Act) in one swoop. Every enclosure Award map has its "ancient enclosures", land which has been enclosed by agreement, often at a time before the memory of man. In some cases the Act is necessary only to enclose the odd acres of land still open, but in area only the minor part of the fields. Some terriers enable us to glimpse this piecemeal enclosure in progress. At Wigginton in 1716 the terrier notes that the fields are all enclosed, as well as 800 acres of Common. But 400 acres of common are still open. At Aldbrough, Sir Thomas Lawson Tancred has shown that 180 acres were enclosed by agreement to pasture in 1517; followed by 420 acres in 1628; then another 800 acres between 1628 and the Act of 1809, leaving about 800 acres of arable and 210 acres of common to be dealt with by the Act.<sup>1</sup> I hope to show elsewhere<sup>2</sup> the same piecemeal process at work in the strips of the Temple Newsam townships. In such a piecemeal process the easiest part of the communally worked fields to enclose would be the meadow (the carr or ings) for in meadow the absence of ploughing meant that there were no definite permanent bounds between holding and holding. Such absence of bounds made the annual or periodic re-allocation of strips of meadow a practical possibility in the open-field village. A glance at a map of open fields will soon show how impossible would be the annual re-allocation of arable strips, although this myth still finds its way into text books, despite the complete absence of any documentary evidence to back it.

## V

We have used the terriers as a tool to examine the Field and its constituent furlongs, both when open and when enclosed. It is time for us to turn to the smallest unit of the Field, the single strip, whose being

"in three oppin ffeildes in parcills and in several places"

or

"lands interspersed in the Fields."

provided the incentive to enclosure.

I had thought, before I examined Yorkshire terriers, that "strip" was a word given to the open field unit by nineteenth

<sup>1</sup> T. Lawson-Tancred, *Records of a Yorkshire Manor*, 1937.

<sup>2</sup> In a forthcoming publication of the Thoresby Society.

century historians. The word—in the agricultural sense—certainly does not appear in the Oxford Dictionary. But at Aberford the terrier lists “stripe lands” in 1716;<sup>1</sup> and at Wadsworth the glebe included

“one stripe called an half acre; another called three roods.” In all other terriers the word “land” is the usual noun for the strip, as in Midland terriers which I have examined. The medieval word was “selion”, but I have not found any echoes of this in the terriers.

I have argued elsewhere that the single strip of the medieval Field has been preserved for us in the ridge and furrow which marks so much of our land even to-day.<sup>2</sup> I hope to lay out the corroborative evidence from Yorkshire pre-enclosure maps and air photographs in another article. At this point I only want to record what the terriers have to say on this matter of ridges. At Normanby the physical existence of ridge and furrow enabled simple instructions to be given in the 1716 terrier for the easy counting of glebe corn :

“of tithes . . . the sheaves being bound and gathered by twelve together and so set up into Stooks (commonly so called) these are regularly placed upon the ridges of the lands . . . every tenth of them hath a mark set upon it as belonging to the Church.”

At Sigglesthorne the 1685 terrier lists all the lands “in ye corne fields” in *ridges*. We catch an echo of the ridges in Henry Best’s advice in 1641<sup>3</sup> :

“the ridges of lands are commonly better than the furrows, for water standeth long in the furrows and spoileth the growth for that year.

It is usual in some places where the furrows of the lands are deep worn with rains to employ women with rakes to gather the corn out of the said hollow furrows.

The strongest and ablest of your (corn) shearers you should put always to the ridge, because there the corn is rankest and strongest.”

The clearest proof of the equivalence of ridge and furrow with strips lies in comparisons of pre-enclosure maps with the ridge furrow which is still visible, but that method of proof requires separate treatment.

The single strips had no absolute and fixed length or width. If, as Dr. and Mrs. Orwin have so successfully argued, the strip took its length and breadth from the capacity of the ox, then we should expect to find a rough uniformity, at least in land of the

<sup>1</sup> ‘Duo le strippes’ occur in East Newton [E.R.] in 1574. *Y.A.S., Yorkshire Deeds*, iv, 7.

<sup>2</sup> *Economic History Review*, Vol. 1 (2nd Series) no. 1, 34-46 (1948). “Ridge and furrow and the Open Fields.”

<sup>3</sup> “*Henry Best’s Farming Book*” (Surtees Society, xxxiii, 1857).



same slope and soil.<sup>1</sup> It is safe to say from the terriers' evidence that this is confirmed. The actual area of the Yorkshire strips was rarely far from a half or a third of an acre. Indeed it was sometimes smaller. A brief glance at a terrier or at any pre-enclosure map will banish the acre-strip which has haunted text books since Seeböhm. Not all Yorkshire terriers bothered to give an area to the single strips: all, of course, give the number of strips. Clearly, the very appearance of a strip in the field must have had something sufficiently definitive in its shape or boundary; and this was the boundary furrow. The myth of the boundary "balks" of grass must also be banished from Yorkshire, where the maps which show balks demonstrate that the "balk" here was not the grassy margin of a strip, but the broad lane which ran between furlongs and allowed the ploughman access to the strips butting on it. Only Leathley (1684) hints that we have an Isle of Portland in our midst.<sup>2</sup>

But those terriers which do give area as well as numbers of strips confirm the evidence of maps for a strip less than an acre in area. At Kirby Overblow 36 lands in one Field total 12 acres only; in the second Field 43 lands are  $15\frac{3}{4}$  acres; in the third, 62 lands total  $19\frac{3}{4}$  acres in area. Here, clearly, the strip contained roughly one third of an acre.

At Barwick in Elmet, 47 lands made 27 acres, although the author who quotes these terriers in his *History* speaks immediately before of "acre strips"! At Garforth in the 1662 terrier, 8 lands were  $5\frac{1}{2}$  acres; 2 lands  $\frac{2}{3}$  acre; 1 land  $\frac{1}{4}$  acre; the next land listed (in another furlong) is  $\frac{1}{3}$  acre; and two more lands there total  $\frac{2}{3}$  acre. At Birkin in 1663 one acre of glebe consisted of three lands, and an acre and a half of six lands. At Colthorpe in 1662, 2 lands made 3 roods (i.e.  $\frac{3}{4}$  acre) and in another place there 1 land was 1 rood.

In fact, to make a furlong-long strip an acre in area it would have to be 22 yards or 66 feet in width, since 22 times 220 equals 4840. The land does not show us ridge and furrow 66 feet wide! The average measured over many Midland parishes worked out at 25 feet, and at Driffield in 1641 Henry Best stated that the strips were 27 feet wide.

The terriers have taken us into the heart of the open field economy, showing the strips grouped in their falls, flats or furlongs; the furlongs bounded by their headlands (Bishop Burton terrier, 1685) and their balks; the furlongs grouped in their Fields

<sup>1</sup> Orwin, op. cit., passim.

<sup>2</sup> Leathley terrier 1684: "all the particulars mentioned in the former page which be in ye comon feilds are either hemd in with fair balkes on either side or sett with Moor stones". The Isle of Portland reference is to Colonel Drew's article in "*Antiquity*" xxii, 79 (1948).

If the Wharfedale strip-lynchets were Saxon in origin, then on the steeper slopes above the river the incline imposes an unploughed grassy boundary, even on land now under plough. There is an excellent example where the easternmost footpath from Linton church to the Burnsall road joins the road on a spur above a sharp bend in the river.

and the rotation of fallow through the Fields. We have seen the pastoral adjuncts of the arable lands, and the grazing rights which fell to the owner of the glebe oxgangs, like any other owner of an oxgang. We have glimpsed tithe rights, although the fullest illustrations of these are now available in Dr. Purvis' selection from another group of documents which lie alongside the terriers at the Registry.

It is time for us to fold the terrier and return it to the parish chest, or to its bundle in the Registry. As we climb down the steeple from which we have surveyed the Fields we may conclude by considering how much (if at all) these Yorkshire open fields differed from the Fields to be seen from Midland or southern steeples, leaving to another occasion the parallel theme of whether the pace of enclosure in the north matched that south of the Trent.

## VI

The first point to make is that (like the Midlands and South) every open field village was in some way unique. Its appearance reflected the result of men taming the forest and marsh which they found, and making the land fit for farmers to live in. In each village the natural features of soil or water presented a unique problem, and the shape and number of the strips and furlongs a unique solution. Again, each village was farmed by men and owned by men who differed in temperament, in skill, in extortion, in kindness, in longevity and in numbers. Each of these factors vitally affected the open field economy and the lives of those who worked in it. Perhaps the symbol of this diversity appears clearest in the number and variety of names which men gave to the furlong units, some echoing a natural feature which caught someone's eye, some the name of a memorable owner there, and some the memory of an event like the death of an ox in harness many centuries earlier.<sup>1</sup>

But having made this important reservation, we may safely admit how very much at home a Midland peasant would have been in an open field village of the Yorkshire plain. The Midlander might speak of 'yardlands' and 'furlongs' where the Yorkshireman used 'oxgangs' and 'furshotts', but their landscape looked very similar. This is not surprising when a relief map of northern England is examined and the Yorkshire plain seen for what it is: the northern extension of the Midland plain. In climate it is a little less favourable for wheat, and more inclined to rye, but both crops fitted in the open field routine. The soils, the drainage and the elevation of lowland Yorkshire are not all that different from the Midlands except in heaths and marshes. The result is that when one picks up a pre-enclosure map of a Yorkshire-plain village, there is nothing to show that it is not a Midland map, just as the

<sup>1</sup> W. G. Hoskins "*Midland England*," p. 77 (1949).



air photographs of the two areas reveal fundamentally the same ridge and furrow pattern.<sup>1</sup>

The differences in the Yorkshire and the Midland farming economy begin to appear when we turn from the arable area of the village to the pastoral adjuncts. To read the glebe terriers of the Wolds villages (which are open-field communities) is to be in a community where the pastoral element is coming to the front and where the grazing rights are as important as the cropping rights in the glebe estate, and where there is more than one sign of in-field and out-field common arable. And this, after all, is no more than saying that the Wolds were the equivalent of the Cotswolds or the Downs in the southern economy.<sup>2</sup>

When we move up on to the moorland slopes of the Pennines or the North Yorkshire moors we are in an even more pastoral economy. But the glebe terriers are not a good tool for investigating the field systems of such villages. The curt "closes" listed are no guide as to their origin, whether in early-enclosed open field, or in land taken straight from its natural state into individual ownership. I do not want to anticipate the results of further study of the upland village fields, but I believe that the open field economy penetrated considerably further into the heart of the Pennines than one might at first think.<sup>3</sup>

So far, we have been speaking of Yorkshire open field villages and Midland open field villages purely in terms of their field pattern and basic economy. In these terms, there is considerable similarity; which is not surprising, since each marks the result of a similar farming problem faced at roughly the same period by roughly similar people. It is the result of ploughing peoples clearing the waste communally and farming the cleared lands communally.

When we move away from these restricted terms of reference into the dynamics of change within the open-field economy, and examine the relative progress of enclosure in the north and in the Midlands, we shall be conscious of much more marked differences.<sup>4</sup>

<sup>1</sup> The air photograph in Plate III might easily be a Midland photograph. The Yorkshire plain would probably show *c.* 1500 a greater area completely uncultivated than one would find in the Midlands outside the Forests. But Plate II, with the furlongs and strips adjusting themselves to sudden changes of contour, is truly Northern.

<sup>2</sup> In the same way many suggestive hints on the effect of a forest environment will be found in G. C. Homans "*English Villagers in the Thirteenth Century*" (1941).

<sup>3</sup> There is a practically continuous band of ridge and furrow across the Pennines on the line of the Leeds-Liverpool canal and of the Leeds-Lancaster railway. The western Dales have also their evidence of open field cultivation. Dr. Raistrick tells me that he is publishing evidence on this point.

<sup>4</sup> The causes of differences include the social structure of the settlers as described by Professor Stenton and Professor Douglas. Mr. T. A. M. Bishop's work emphasises the results of the devastation after the Conquest and the subsequent re-settlement of villages. Mr. M. W. Barley's article in *Y.A.J.* xxxv, 35, is a valuable contribution to the later period.

For this further study, the glebe terriers can only be a tool for preliminary clearing of the ground. The terriers were not intended as enclosure records, and it is only when an enclosure occurs within the period covered by terriers that it will be mentioned, or that it can be inferred. Where enclosure has already occurred before the earliest surviving terrier we have no assistance in dating it. And there is one other limitation on the terrier in the dating of enclosure : where the living has been appropriated the terrier will speak of a house and a cash income without any details of territory which would enable us to glimpse the type of farming carried on in the village at that period. For these reasons, a study of the pace of enclosure in Yorkshire will be able to utilise the terriers, but cannot find them all-sufficient.

It will at best be a rough indication of the prevalence of open fields at the end of the seventeenth century if we analyse the terriers by deaneries to see what proportion of terriers deal with an open field economy, remembering that appropriated churches will necessarily be omitted,<sup>1</sup> and therefore that the total number of open field villages is underestimated. But significance may lie in the relative proportion within the Deaneries.

		Open	Closes	Doubtful	Per Cent. open
WEST	New and Old	30	18	2	60
RIDING	Ainstey				
	Craven	5	15	3	22
	Doncaster	35	22	4	60
	Ripon	0	2	0	0
	Richmond	6	12	1	30
	Pontefract	9	21	1	30
NORTH	Rydale	18	11	1	60
RIDING	Cleveland	3	15	7	12
	Bulmer	21	17	3	50
EAST	Buckrose	11	2	6	57
RIDING	Dickering	24	5	2	80
	Harthill	26	9	5	65
	Holderness	23	5	3	74

It will be seen that Dickering and Holderness exceed 70%, and that six other deaneries top 50%. Standing markedly outside this group are the upland deaneries of Craven and Cleveland. Ripon might also be included, did not the total data make so small a sample. Richmond has a low proportion of open field parishes in its terriers; as few in fact as Pontefract, although the average for Pontefract conceals a block of open field in the lower part of the deanery. The map (Plate I), on which each open field entry is shaded, shows how the open field entries are spread within the individual deaneries.

<sup>1</sup> Where the rectory has been appropriated, its temporalities will be enjoyed by laymen and so not within the concern of a terrier.





Based on the Ordnance Survey Map with the sanction of Controller, H.M. Stationery Office.

W. Y. P. CO. LTD., WAKEFIELD.

# PLATE I.

YORKSHIRE showing OPEN FIELD IN GLEBE TERRIERS *c.* 1650.

Shaded areas indicate parishes which were open field in 1650. The dotted lines show the boundaries of the Deaneries, which are numbered. The bounds are those given in *V.C.H. Yorks.*, ii.

I	Richmond	V	Buckrose	IX	Pontefract
II	Catterick	VI	Holderness	X	Ainsty (Old and New)
III	Cleveland	VII	Harthill	XI	Ripon and Masham
IV	Bulmer	VIII	Doncaster	XII	Craven

*Note.* This is purely a distribution map of parishes, and the area of any single parish's open fields could not be shown on a map of this scale.

This study of the glebe terriers and the open fields must conclude therefore in mid-air. It has given something of a static picture of those villages which still retained their open fields in the late seventeenth century; it has enabled us to see some of them discarding their open fields for enclosed and hedged holdings; and it has posed a number of problems in the dynamics of change which can only be answered by a further study of the scope and progress of enclosure in Yorkshire.

## APPENDIX 1

### THREE TYPES OF TERRIER TRANSCRIBED.

Three typical terriers have been chosen. The first is for an enclosed holding, and it will be seen that (in comparison with the third terrier) it describes the glebe lands in a small space. The second terrier is even briefer, for here the church is served by a curate and the endowment enjoyed consists solely of a house and orchard. The third terrier is an example of the verbal detail which the description of an open field holding involved. Length proved an obstacle, and only a specimen number of entries have been printed here. Those for 104 pieces of land have been omitted. Even with this compression it will be seen how different in quantity and style an open field terrier appears.

#### *Examples of terriers.*

##### A. An enclosed holding.

#### THORNTON IN CRAVEN (n.d.)

A true particular of whatsoever belongs to the Parsonage of Thornton in Craven.

Howsing      The hall ye kitchings ye great Parlour ye little parlour below ye kitchings, ye Milke house, ye butterie, ye pantrie, with boarded rooms over all except ye Hall and Milke house all wch beinge rebuilt and in very good repaire by our present Parson.

One Turfehouse one Hey barne one stable one calfe house being all under one roofe and in good repaire.

One corne barne with doble beasthouse and single beasthouse in ye east and with heybalks over them all in good repaire. Two swine-coats one goose-coate with henn house over them in good reapaire.

Gleab  
lands      Two sungardens adjoyning to ye way to ye Hall doore, one fold on ye west end of ye house, one little court on ye northe sid, one kitchinge garden on ye northe side of ye house, one little Croft called ye orchard on ye north side of ye corne barne, one hey croft on ye north side of ye orchard garden. One field called ye Mastis and Narkenbars, farkenbars and berfays Bottom, one field called kirkhill and ye church yard. One meddow called kirkeings wherein is one new barne where none was before built two years ago by our present Parson and in good repaire.

Four Kysbrigs which four buttinge on ye water course called Crucible on ye north east end, and buttinge on ye way leadinge betwixt Thornton and West Marten on ye south west side of ye sd Kysbrigs all which being inclosed. One other medow called Farr inge buttinge on ye north east side of ye aforesaid way to Marton it being inclosed also. All which gleab lands and fences are in good repair.



One little close called Jackson Feild lying on ye east side of ye high way to Coulne butting on a feild called Starby on ye south side and a feild called Crosse close on ye north side. One little cottage lying in Earbie called Jackson house wth one little croft lying on the north west side of yt. One tyth Barne in Carbie in good repaire and one little croft on ye W side of ye Barne in good repaire.

All manour of tythes in kinde from ye whole p(ar)ish of Thornton to ye Parson exepting (sic) tyth hey wch is paid by way of antiant custom or prescription.

Ita testamur

Edm Hough Rector ibidem

John Wood

John Emmos

Joseph Whitwham

his I marke

Christopher Browne

Richard Wilkinson

James Driver

his X marke

} new church wardens

} ould church wardens

## B. HUMBLETON 1685

A perfect terrier of all ye gleabe land within ye parish of Humbleton.

A vicarage house and Orchard butted and bounded with ye grounds of Mr. Francis Thompson on ye south and west and on the kings street on north and east.

Testamur

Henrici H. Hoggard

Thomas T. Young

Stephen Moodlay

(marks)

} Church-  
Warden

L. S. Sollitt

Xp

Curate ibidem.

## C. A terrier with open field detail.

### ROUTH 1685

(This village appears to be at the point of enclosure. Although the terrier is plainly divided into "Closes of those fields formerly called ye East field . . ." and then into North Field and West Field, the entries under each of these headings are very similar. Although the strips are listed under Closes, it will be seen that they are in fact single strips not comprising the whole of a close : this may be because "tillage is laid down" and communal ploughing, etc. abandoned, without the final physical redistribution of lands into compact holdings.

A number of the minor field names are still preserved in the 1849 Tithe Award map, from which the modern field boundaries hardly differ).

A Terrier of ye Gleab belonging to ye Rectory of Routh in ye Deanery of Holderness.

1. In ye closes of those fields called formerly ye East Field, hill Field and Old Mill.

Inp(ri)mis

In ye Brackenleighs Close one land being ye farthest of yt Close to ye south east point from ye town, having three gads of meadow at ye east end to ye Cow-dales ward.

Item

In ye sd Close one white carre broad Butt, butting east on ye headland, west on ye White Carre, having sixteen butts on yt side towards ye Towne, and four on ye other side with three gads of meadow at yt end to ye carre.

Item

In ye sd Close one broad land lying next ye fence dyke on yt side to ye Townward, having between yt and Bracken-

leighhold land six and twenty lands, reckoning by ye east Carreside. It hath six gads of meadow at each end.

Item In ye next close which bounds west on ye Calf Close : one butt running up to ye neare Masthill next but one butt to ye passage up to ye sd Masthill on ye side of ye Masthill to ye townward.

Item In ye next close called ye Green heads close : two lands lying next to north Nun Close and calf Close, butting west on the Green Close, east fence, and east on ye East Carre, where they have six gads of meadows at ye East Carre side.

Item On ye next close called Bokehole great Close lye two lands called short owdley, having south thirty two lands between ym and ye Green dyke lands in little Boke Hole close; they butt east on ye Carre side where they have 6 gads of mesdow; they cross Beverley road into a close at ye town north end formerly a pt of old mill hill field where they butt west on the Hastney close having 4 lands between ym and ye Town side to ye south.

(There are 11 similar entries, and some meadow land listed under this heading. The next heading is a bold one in the MSS.).

2. In the North ffield.

Imprimis In Wreahill Butts Close lies one broad Butt having six leys in ye east between yt and Mower hills. It hath six gads of meadow at ye north end and butts south on ye headland.

(There are four similar entries under this heading).

3. In ye West Field.

Imprimis Next ye south side of ye Stump Cross Balk lie two lands having on ye north side of ye balk between ym and ye town-side, 18 lands. They butt east on ye West Close, and west on Beverley road. They lie in ye Stump cross Close belonging to ye House, south west of ye Church and have six gads of meadow at ye east end.

(There are 18 similar entries under this heading).

4. Meadows.

In the little Colson lie six gads near the south west corner of a close called south Wood belonging to Meaux now in possession of John Gilson tenant, butting north on ye sd close at which end it has an oak tree, south it butts on Meaux sewer Dyke.

In ye Great Colson lie six gads, butting south on Memyrit dyke and north on Blea Sykes.

5. Carre grounds.

Imprimis in east Carr dale fourteen gads, butting east on Monk dyke, west on the meadow at East Carr side near Green headlands.

(71 other gads listed).

There belongs to ye Parsonage a Notsett in ye deep carre by monk dyke side beyond Coutram Marre. Castle Park in ye Red Carr pays an old composition of four shillings per annum. The fishing pays five shillings per annum. The Dumbles one shilling eightpence. Common of pasture belonging to ye Parsonage in ye Common pt of deep carre and in ye east and west pastures. (Beast and horse gates, struck out).

Chr Hildyard Rector

Edmund E. Hakeney

Francis F. Walls

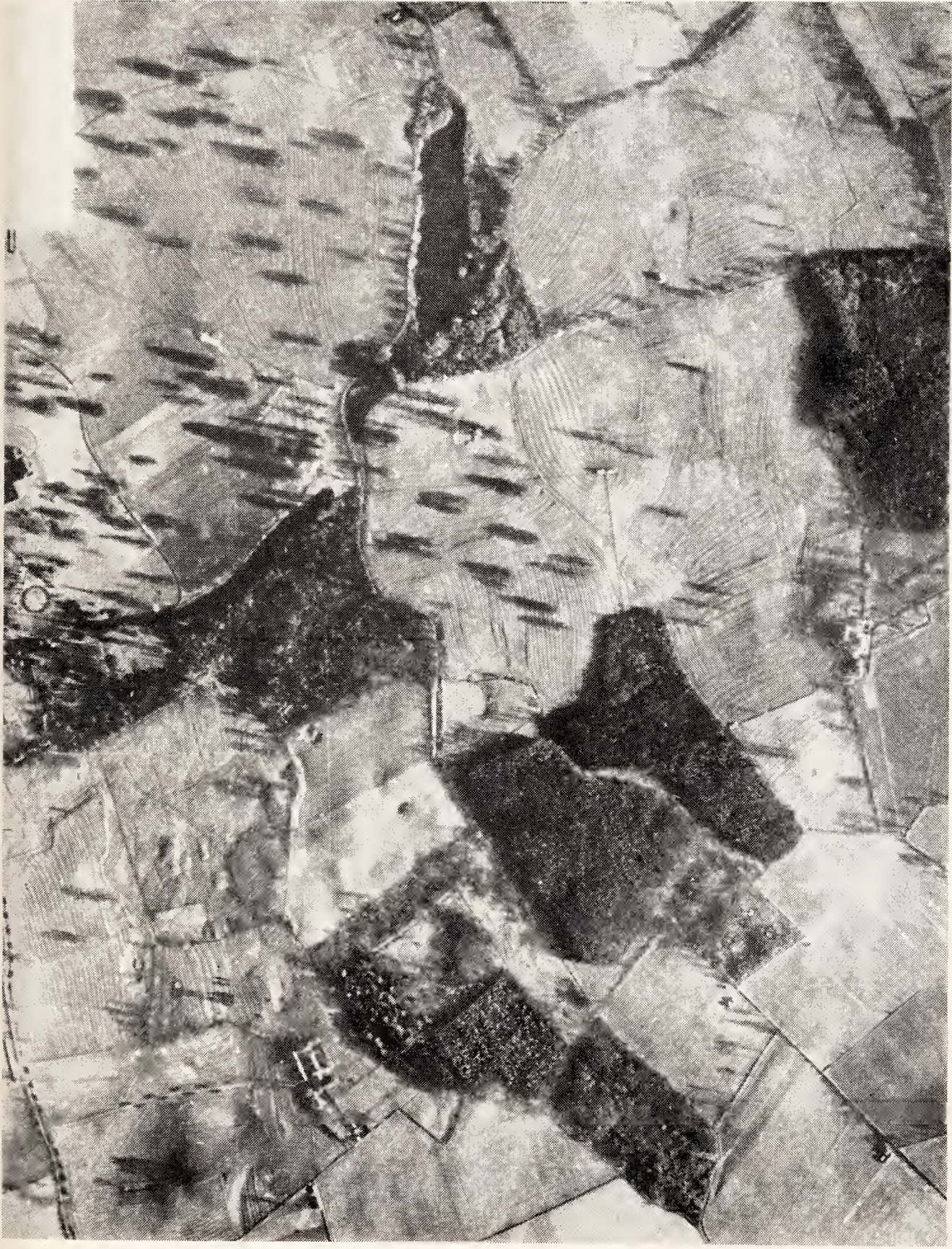
Churchwardens their markes

Will Johnson  
William Crosier  
his marke

John X Dure

(The whole document occupys four pages of paper).





*Air Ministry Crown Copyright.*

PLATE II. THE OPEN FIELD PATTERN

This air photograph shows the furlong shapes adjusting themselves to the irregular surface of the ground. The area is within Hornby Park (N.R.) just south of the castle, O.S. grid ref. 45/230930. Photo. ref. : CPE UK 1884/3033.







## APPENDIX 2

**Open field terriers listed by Ridings and Deaneries, with Field details summarised.**

The list which follows this article is an attempt to make accessible the more important facts which can be gleaned from a study of the terriers. The places for which there are terriers extant at York can be seen from an inspection of the list. The list, like the bundles of terriers, is divided into Deaneries; and a further division has been made in the list in order to assign the Deaneries to their Riding. Within the Deaneries, alphabetical order of parish names is preserved. In order to avoid a longer list still, only those places where the terrier yields positive evidence of glebe land have been included. This means that terriers for parishes or chapelries which have only a cash income (from a capital sum, from an appropriator or from property rents) are not included in the list. For this reason the list must not be taken as an exhaustive index of terriers available for study at York, although it certainly contains the majority of parishes. For one year or another the complete bundles of terriers at York will yield a terrier for all but a handful of Yorkshire parishes.

Besides the terriers in the Registry there are some belonging to the records of the Dean and Chapter : these have been included in the list. Some terriers in East Riding parish chests can be traced in M. W. Barley's lists in his *Parochial Documents of the East Riding*.

The second column in the lists gives the date of the earliest extant terrier, and then the state of the glebe land at that date, whether in open fields or in closes. Should later terriers indicate any alteration in the state of the glebe a second line will be found with a date in that column, e.g.

Bugthorpe 1663 O.F.  
1743 all in closes.

All doubtful points of interpretation are dealt with in the footnotes.

In the third column appear the names of the open Fields, and this column can therefore also be used to see how many Fields there were in each village. Where the terrier gives no Field name detail, but nevertheless clearly indicates an open field village, the fourth column has the entry : no Field names. In some terriers the individual furlong or flat names appear in full detail but with the omission of any reference to Field divisions.

The information given in the list may be summarised :

West Riding 186 parishes or chapelries  
East Riding 121 parishes or chapelries  
North Riding 97 parishes or chapelries  
Dean and Chapter terriers 4 parishes.

with one Field	..	..	..	..	20	(12·7%)
with two Fields	..	..	..	..	46	(29·2%)
with three Fields	..	..	..	..	66	(41·9%)
with four Fields	..	..	..	..	19	(10·8%)
with five Fields	..	..	..	..	3	(c2·0%)
with more than five Fields	..	..	..	..	3	(c2·0%)

Where the number of Fields change, the fact is recorded in the last column of the list. Here again, the terrier evidence is insufficient to show whether such a change is merely a change in the way the compilers counted the Fields or a basic change in the village economy : decreasing the proportion of fallow if the number of Fields increased, or increasing the fallow if the Fields become fewer.

## EAST RIDING.

## (a) BUCKROSE DEANERY.

ACKLAM	1662 O.F.? <sup>1</sup>	
BIRDSALL	1662 O.F.? <sup>2</sup>	
BUGTHORPE	1663 O.F.? <sup>3</sup> 1743 all in closes	
BURYTHORPE	1716 enclosed c. 1650-60	'the gleab land . . . was taken in Oliver's time and inclosed by the freeholders . . . when there was neither patron nor bishop . . . and was sett out 20 acres.'
COWLAM	1629 O.F.? <sup>4</sup>	
FIRBY	see Westow.	
GRIMSTON, NORTH	n.d. [16—] O.F.? <sup>5</sup> 1716 O.F.? <sup>6</sup>	
HESLERTON, WEST	n.d. [16—] O.F. 1685 O.F.	'4 oxgangs in the open fields.' 1. Addingham Field.
KIRBY GRINDALYTH	n.d. [16—] O.F. 1716	no names. 1. North, 2. South.
KIRBY UNDERDALE	1663 enclosed	1. North, 2. South. [before 1638]. 49 acres in open fields exchanged for 47 acres in Whin Close in 1638. "Tillage laid down 1583."
NORTON	1685 closes	
RILLINGTON	n.d. (16—) O.F. 1716 O.F.	'2 oxgangs in ye towne feildes' 1. Town Field.
SCAGGLETHORPE	1663 O.F.	no Field names, but 18 'lands' in 3 'flatts.'
SETTRINGTON	1663 O.F. 1716 closes <sup>7</sup> 1743 closes	1. Further, 2. Brough '50 acres of inclosed ground' 'allotted to Rectory by Act of Parliament.'
SKIRPENBECK	1685 O.F. 1716 O.F. 1743 closes	1. Middle, 2. Ing, 3. Bottom, 4. Wood, 5. South.
SKRAYINGHAM	1685 closes	
WESTOW and FIRBY	1661 O.F. 1685 enclosed	four acres of glebe. 'foure acres, alias three and a halfe sett out upon ye inclosure.'

<sup>1</sup> There is no glebe mentioned in the terrier, but '5 oxgangs belong to ye impropiator.'

<sup>2</sup> 'xiv oxgangs as antient men soe call, but that we cannot, the present incumbent having none of it, but rather ye Impropiator.' 1685T and two others undated repeat the 14 oxgangs.

<sup>3</sup> 24 acres are mentioned, and then 'one little close.' There are no Field names.

<sup>4</sup> Scattered small areas of land, but no Field names.

<sup>5</sup> 5 oxgangs, and described as having someone's land "always to the East."

<sup>6</sup> "in the corn fields of Grimston."

<sup>7</sup> The enclosure is dated 1668 by Miss Leonard op. cit., quoting Chancery Decree Roll 692, no. 6 (P.R.O.). An examination of this MS. shows that the 1668 enclosure was of common pasture only. Bodleian MSS., Rawlinson 456 is an open Field map.



WHARRAM PERCY	n.d. (16—) O.F.	no Field names.
YEDDINGHAM	1685 O.F.? <sup>1</sup>	
	1743 closes	

## (b) DICKERING DEANERY.

BOYNTON	1685 O.F.? <sup>2</sup>	1. High.
BURTON AGNES	1685 O.F.	'8 oxgangs in the townfeilds'
	1716 O.F.	1. West, 2. Middle, 3. East.
BUTTERWICK	1685 O.F.	no Field names.
CARNABY	1663 O.F.? <sup>3</sup>	
CLOUGHTON	n.d. 16— O.F.	1. Town.
FILEY	2 n.d. (16—) O.F.	no Field names.
FIMBER	n.d. (16—) O.F.	1. South.
FLIXTON	n.d. (16—) O.F.	no Field names.
FOLKTON	n.d. (16—) O.F.	no Field names, but a very good 8 page document.
FOSTON	1685 no glebe	
	1716 a close and pasture	
FOXHOLES	1685 O.F.	no Field names.
	1726 O.F.	
FRIDAYTHORPE	2 n.d. (16—) O.F.	1. Town. <sup>4</sup>
	1726 O.F.	
GANTON	1685 closes.	
(Galmpton, Galmeton).		
GARTON ON THE WOLDS	1663 O.F.	1. North, 2. West, 3. South.
	1726 O.F.	
GRANSMOOR	enclosed 1702 <sup>5</sup>	
HARPHAM	1685 O.F. <sup>6</sup>	1. Middle, 2. West, 3. East.
	1726 O.F.	
HAYSTHORPE	1716 O.F.	details as at Thornholm.
HUNMANBY	1685 O.F.	no Field names.
LANGTOFT	1716 O.F.	no Field names.
	1743 O.F.	
MUSTON	1685 closes	
NAFFERTON	n.d. (16—) O.F.	no Field names.
REIGHTON	1685 O.F.	no Field names.
RUDSTON	1663 O.F.	'16 oxgangs.' No Field names.
	1726 O.F.	'7 oxgangs.'
SEAMER	n.d. O.F.? <sup>7</sup>	
SCALBY	1716 closes	
THWING	1663 O.F.	1. Thwing, 2. Octon. <sup>8</sup>
	1726 O.F.	

<sup>1</sup> '3 oxgang of arable.' The 1743T says significantly "closes *lying together*."

<sup>2</sup> There is only one acre of glebe !

<sup>3</sup> '2 oxgangs.' So 1685T and 1716T.

<sup>4</sup> This is ambiguous : it may not be a Field name.

<sup>5</sup> Burton Agnes 1716T.

<sup>6</sup> *ibid.*

<sup>7</sup> 2 oxgangs, "all farmed out".

<sup>8</sup> These may be Fields of the two places?

THORNHOLM <sup>1</sup>	1716 O.F.	"Vicar has a third part of the tithes in the Comon Fields."
WEAVERTHORPE	n.d. (16—) O.F. 1726 O.F.	no Field names.
WETWANG	n.d. (16—) O.F. 1693 O.F. 1726 O.F.	no Field names.
WILLERBY	1685 O.F. <sup>2</sup> 1726 croft only	
WOLD NEWTON	1685 O.F.	1. East, 2. West.

## (c) HARTHILL DEANERY.

ALLERTHORPE	1684 closes	
AUGHTON	1743 common inc. <sup>3</sup>	
BAINTON	1685 O.F.	no Field names.
BRANTINGHAM	n.d. (16—) O.F.? <sup>4</sup>	
BURNBY	2 n.d. O.F.	The 'lands' are described as 'broad' and 'narrow'.
BURTON, BISHOP	1685 O.F.? <sup>5</sup>	
BURTON, CHERRY	1662 O.F.	1. East.
CATTON	1663 O.F.	No Field names, but many furlong names.
COTTINGWITH, EAST	1743 O.F.	no Field names.
DALTON, SOUTH	1663 O.F.	1. South, 2. North, 3. West.
ELLERKER	1743 O.F.	'the tithe of the common fields', but no Field names.
ETTON	1685 O.F. <sup>6</sup>	1. North, 2. Middle, 3. South.
EVERINGHAM	n.d. (16—) O.F.	1. Cow, 2. Mill, 3. High.
FULL SUTTON	1743 O.F.	1. Hunland, 2. White, 3. Hathill
GIVENDALE	1684 O.F. 1733 <sup>7</sup> O.F.	no Field names 'ye several Fields belonging to the town.'
GOODMANHAM	1597 enclosed [1637T]	"inclosed by Sir Marmaduke Grimston Kt."
HARSWELL	1685 closes	
HAWDEN	1743 closes	
HESSLE	1685 O.F.	1. North, 2. South, 3. West, 4. Low.
HOLME on SPALDING MOOR	1662 O.F.	1. North, 2. South.
HOTHAM	1685 O.F.? <sup>8</sup>	
HUGGATE	1662 O.F.	1. North, 2. South.

<sup>1</sup> Burton Agnes 1716T.<sup>2</sup> oxgangs mentioned.<sup>3</sup> Under the provisions of 12 Anne cap. iv (p. 331 supra).<sup>4</sup> oxgangs and closes.<sup>5</sup> 'a headland in the South Field.'<sup>6</sup> The area of the glebe is stated to "be mingled and dispersed into severall falls through out each field".<sup>7</sup> Dean and Chapter MSS.<sup>8</sup> oxgangs and closes.



HUTTON CRANSWICK	1629 O.F.	'lands in the fields'—no further details.
	1685 closes and a stipend.	
KILDWICK juxta WATTON	1685 O.F.	1. West, 2. South, 3. East.
KILNWICK PERCY	1733 closes	
LOCKINGTON	1663 O.F.? <sup>1</sup>	
LONDESBROUGH	1662 O.F.	1. Pocklingtongate, 2. Middle, 3. 'Upon the High Wolds'.
MIDDLETON on the WOLDS	1685 O.F.	no Field names.
NUNBURNHOLME	1629 O.F.	1. Low, 2. Wold, 3. Underhill.
ROWLEY	1685 O.F.	1. North, 2. Long, 3. Riplingham
	1745 'Rowley Green enclosed'. <sup>1</sup>	
SCARBOROUGH	n.d. (16—) closes	
SKIDBY	n.d. (16—) O.F.? <sup>2</sup>	
STANTON on the WOLDS	n.d. (16—) <sup>3</sup> closes	
SUTTON on DERWENT	1663 O.F.	no Field names.
THORNTON	n.d. (16—) O.F.? <sup>4</sup>	1. South, 2. North, 3. East.
THORPE le STREET	1629 closes <sup>5</sup>	'lands altogether in closes'
WALKINGTON	1662 O.F.	1. South.
WEIGHTON	1743 closes	
WELTON	1662 O.F.	no Field names.
	1685 O.F. <sup>6</sup>	1. Dale, 2. Sand, 3. Lon.
WILBERFOSS	1662 O.F.	1. Bunsare, 2. Park, 3. Mill.
YAPHAM	1743 enclosed <sup>7</sup>	'late new inclosed'

## (d) HOLDERNESS DEANERY.

ALDBOROUGH	1716 O.F.	1. North.
ATWICK	1685 O.F.	1. North, 2. South.
BEWICK	1685 O.F.? <sup>8</sup>	1. North.
CATWICK	1665 O.F.	no Field names.
	1716 O.F.	1. Mill, 2. South, 3. Illegible.
EASINGTON	1685 O.F.	1. East, 2. West.
ELSTRONWICK	1685 closes	
FRODINGHAM, NORTH	1685 closes? <sup>9</sup>	
GOXHILL	1685 closes	'36 acres of Inclosure'
HALSHAM	1685 close	

<sup>1</sup> M. W. Barley op. cit., p. 122, quotes an entry from parish document dating the enclosure here as before 1702.

<sup>2</sup> "24 acres of arable (*sic*) and one acer of inclossure (*sic*).

<sup>3</sup> endorsed '1666'

<sup>4</sup> just to be enclosed? 1684T has only a house and a composition for tithes.

<sup>5</sup> Nunburnholme T.

<sup>6</sup> 1628T copied.

<sup>7</sup> Pocklington T.

<sup>8</sup> Aldborough T.

<sup>9</sup> 1716T speaks of 'a late inclosed pasture'.

HATFIELD, LITTLE	1719 enclosed	"Little Hatfield was inclosed last year."
HILSTON	1716 closes	
HOLLYM	1693 O.F. <sup>1</sup>	
HOLMPTON	1685 O.F.	1. North, 2. South.
HORNSEA	1685 O.F.	1. East, 2. West.
LEAVEN	1662 O.F.	'in the towne fields'
MAPPLETON	1662 O.F.	1. East, 2. West.
NEWTON, EAST	1685 O.F. <sup>2</sup>	
PATRINGTON	1663 O.F.	1. South, 2. North.
PAUL	1662 O.F. 1716 closes. <sup>3</sup>	1. East, 2. West.
ROOS	1662 O.F.	1. Eastside, 2. Westside.
ROUTH	1685 O.F. 1716 closes <sup>4</sup>	1. North, 2. West. "and closes in those fields formerly called East, Hill and old Mill."
ROWLSTON	1685 O.F.	1. East, 2. West.
RYHILL see SKECKLING		
SIGGLESTHORNE	1685 O.F. <sup>5</sup>	1. East, 2. West.
SKECKLING	1685 O.F. 1716 O.F.	1. East Field of Ryall [Ryhill] 2. West Field <sup>6</sup> 'half an oxgang in the fields' no Field names.
SPROATLEY	1662 O.F.	1. East, 2. West.
TUNSTALL	1716 O.F.	1. East, 2. West.
ULROME	1716 closes	
WELWICK	1716 O.F.	1. East, 2. West.
WINESTEAD	1716 closes	
WITHERNWICK	1662 O.F.	no Field names <sup>7</sup>

## NORTH RIDING

### (a) BULMER DEANERY.

ALNE	1716 closes	
BARTON [le WILLOWS]	1663 O.F. <sup>8</sup>	"Three oppin ffeilds in parcills' no Field names.
BOSSALL	n.d. (16—) O.F.	no Field names.
BRAFFERTON	1614 O.F.	1. Butt, 2. Cross, 3. Dinndale, 4. Conygarth. Also meadow and closes.
	n.d. (16—) O.F. 1685 no glebe !	1. Butt, 2. Cross (only).
BRANSBY	1685 closes	
BULMER	1685 O.F.	1. North, 2. East, 3. South

<sup>1</sup> 'ye fields of Hollym'.

<sup>2</sup> Aldborough T. 'In the field'. West Newton has a close.

<sup>3</sup> closes and a cash composition (arising from enclosure?)

<sup>4</sup> tithe commuted for 'ye late inclosed lands'.

<sup>5</sup> 4 oxgangs in 'ye corne fields' measured in ridges.

<sup>6</sup> The second field is not named 'of Ryall'.

<sup>7</sup> 'an oxgang of land in each field'.

<sup>8</sup> Crambe terrier.



BUTTERCRAMBE	n.d. (16—) closes <sup>1</sup>	
CRACKE	1663 closes	
CRAMBE	n.d. (16—) O.F. <sup>2</sup>	no Field names.
DALBY	1685 closes <sup>3</sup>	
DUNNINGTON	1685 O.F. <sup>4</sup>	no Field names.
EASINGWOLD	1716 closes	
ELLERBURN	1733 O.F. <sup>5</sup>	no Field names.
ELVINGTON	1663 O.F.	1. West, 2. East, 3. North, 4. South alias Little. In 1685T 1 and 2 become Innam and Bounddike.
ESKRICK	1685 O.F.	1. Little, 2. Middle, 3. West, [3a. North Field being part of the West Field]
FELIXKIRK	1685 closes	
FLAXTON	1662 O.F. <sup>6</sup> 1685 closes <sup>7</sup>	1. East.
FOSTON	1662 O.F. 1685 closes	1. Barugh, 2. Sike, 3. West.
GATE HELMSLEY	1662 closes	
HOLTBY	1663 closes	
KILVINGTON, SOUTH	1613 closes	
MYTON on SWALE	1663 O.F. 1685 O.F.	1. Backhouse, 2. Mogge, 3. Carre, 4. Coate. 1. Further Backhouse, 2. Mog-sike, 3. Carr, 4. —
OSBALDWICK	n.d. (16—) O.F. <sup>8</sup>	
OTTRINGTON, SOUTH	1716 closes	
OVERTON	1628 closes <sup>9</sup>	
RICCALL	1716 closes	
SEASEY	1663 closes	
SHERIFF HUTTON	1685 O.F. <sup>10</sup>	no Field names.
SILTON, OVER	1663 closes	
SKELTON	1662 O.F.	1. Well, 2. South.
SKIPWITH	1663 O.F. <sup>11</sup>	1. West, 2. Far, 3. Birk.
STILLINGFLEET	n.d. (16—) O.F.	1. Gar-ends, 2. Clow, 3. Mill, 4. Far.
STILLINGTON	1663 O.F.	Four Fields, but no names.
STRENSALL	1716 closes	

<sup>1</sup> "3 oxgangs inclosed being 27 acres".

<sup>2</sup> "2 oxgangs". But 1663T has these at 'Bartton' = Barton, above.

<sup>3</sup> explicitly closes, but described as lands, e.g. 'ye fifth land from ye West Hedge'.

<sup>4</sup> 'tithes of 63 oxgangs.'

<sup>5</sup> Dean and Chapter MSS.

<sup>6</sup> Foston terrier.

<sup>7</sup> 1716T is ambiguous. 1685 enclosure may not be total.

<sup>8</sup> '13 oxgangs'. 1684 and 1716T's have no glebe!

<sup>9</sup> 1685T has 'meadow enclosed 1634'.

<sup>10</sup> impropriated.

<sup>11</sup> 1716T seems to place these 3 Fields at North Duffield and to assign 1. Sand; 2. Brock; 3. Longland at Skipwith.

TERRINGTON	1663 O.F.	1. Church, 2. Low, 3. How.
	1685 O.F.	1. Church, 2. Mill, 3. East Low, 4. West Low.
	1716 O.F.	
THIRKELBY	1663 O.F.	1. Mill, 2. Kirk, 3. West, 4. Busk, 5. Bridge, 6. High Barughe.
	1685 O.F.	has only 1—4 above.
THIRSK	1716 O.F.	'in the Town fields.'
THORMANBY	1716 closes	
THORNTON [le CLAY]	1662 O.F. <sup>1</sup>	1. Elcar, 2. Cliff, 3. Longland.
WHELDRAKE	n.d. (16—) O.F.	1. Dovecoat, 2. While, 3. West. Another T. n.d. (16—) has 2. Well.
WHENBY	1667 closes	
WIGGINTON	1685 closes <sup>2</sup>	

## (b) CLEVELAND DEANERY.

APPLETON on WISKE	1685 closes	
BIRKBY	1685 meadow	
COULBY [in Stainton]	n.d. (16—) O.F.? <sup>3</sup>	
	1716 closes	
CRAYTHORN	1685 closes	
EASINGTON	1685 closes <sup>4</sup>	
HINDERWELL	1685 O.F.	no Field names
KILDALE	1716 closes	
KIRKBY	n.d. (16—) meadow only.	
KIRK LEATHAM	1716 O.F. <sup>5</sup>	
LEEK	n.d. (16—) closes	
LIVERTON	1716 closes	
LOFTHOUSE	n.d. (16—) O.F.?	
	n.d. (16—) O.F.?	no Field names.
MARSKE	1667 O.F.	1. East, 2. West, 3. Moore, 4. Redcarr.
MARTON	1693 closes	
NORTHALLERTON	1685 O.F. <sup>6</sup>	no Field names.
ORMSBY	1663 closes	
OTTRINGTON, NORTH	n.d. (16—) O.F. <sup>7</sup>	
	1716 closes	
ROUNTON, WEST	1663 closes	
SIGSTON	n.d. (16—) closes	
SNEATON	1685 closes	
STAINTON	1685 closes	

<sup>1</sup> Foston T.<sup>2</sup> These seem newly enclosed. 1716 has "fields all inclosed. 800 acres common inclosed; 400 uninclosed".<sup>3</sup> "10 akers."<sup>4</sup> "60 acres of land, meadow and pasture."<sup>5</sup> '13 acres of arable land'. So n.d. (16—)T.<sup>6</sup> some pasture 'recently inclosed'.<sup>7</sup> 'one aker'.



STOKESLEY	1663 O.F.? <sup>1</sup> 1716 closes?
WELBURY	n.d. (16—) closes
WESTERDALE	1685 O.F.? <sup>2</sup>
YARM	1716 closes

## (c) RYDALE DEANERY.

AMOTHERBY	n.d. (16—) O.F. <sup>3</sup>	
AMPLEFORTH	1663 & 1693 O.F.? <sup>4</sup> 1716 closes	
APPLETON	n.d. (16—) O.F. <sup>5</sup>	
BARROWBY (Barrawby)	n.d. (16—) closes	
BARTON le STREET	1693 O.F.	1. Low, 2. Town's.
COLD KIRBY	1663 O.F. 1685 no glebe	1. Low, 2. Middle, 3. High.
EBBERSTONE	1698 O.F.	1. East.
EDSTON, GREAT	1663 closes <sup>6</sup>	
ELLERBURN	1716 O.F.	1. Upper Kirdale, 2. Lower Kirdale.
GILLAMORE [in Kirkby Moorside]	1685 O.F.	1. North High, 2. West, 3. Mill, 4. Woodgate.
GILLING	1694 closes	
HORNBY	n.d. (16—) closes	
HELMSLEY	n.d. (16—) O.F.	1. Low, 2. Cliff, 3. Carlton East, <sup>7</sup> 4. Carlton West.
HUTTON BUSHELL	1685 O.F.	1. Middle, 2. West, 3. ? <sup>8</sup>
KIRBY MISPERTON	n.d. (16—) O.F. 1716 O.F.	1. Hungerhill, 2. Kinnercliff, 3. 'a Field'.
KIRBY MOORSIDE	n.d. (16—) O.F. 1716 O.F.	1, High, 2. West.
LASTINGHAM	1685 O.F. <sup>9</sup>	no Field names.
LAYSTROP	1685 closes <sup>10</sup>	
LEVISHAM	1693 O.F.	no Field names.
MALTON, OLD	1663 closes <sup>11</sup>	
MIDDLETON	1716 closes	
NEWTON, EAST	1685? O.F. <sup>10</sup>	1. Upper
NUNNINGTON	n.d. (16—) O.F.	1. Kirk, 2. Middle, 3. Far. <sup>12</sup>
OSWALDKIRK	1685 closes	

<sup>1</sup> '6 oxgangs'. 1716T has "inclosed arable now divided".<sup>2</sup> '1 oxging' no details. Stokesley terrier.<sup>3</sup> '6 oxgangs'. Ampleforth T.<sup>4</sup> '26 acres'.<sup>5</sup> '8 oxgangs in Appleton fields'.<sup>6</sup> enclosed 1605 (Y.A.S., MS. 665).<sup>7</sup> at Carlton?<sup>8</sup> 1716T 'ye 3 comon fields' but no names.<sup>9</sup> has also sone open field glebe at Appleton.<sup>10</sup> Stonegrave terrier.<sup>11</sup> '4 bovates' in Yedingham.<sup>12</sup> Stonegrave T1685 has land in Nunnington East Field, Quarry Field and Westcroft Field. Carr (meadow) enclosed 1670.

SALTON	n.d. (16—) closes	
SCAWTON	1685 closes <sup>1</sup>	
SLINGSBY	1663 O.F. <sup>2</sup>	1. Millgate, 2. Pott, 3. Gallow hill.
STONEGRAVE	1685 O.F.	1. Far, 2. Hither.
THORNTON le DALE	1685 O.F.	(a) Eastside the beck. 1. Bottom, 2. Middle, 3. East (b) 'West side the beck—84 oxgangs now inclosed'
WYKEHAM	n.d. (16—) closes 1685 no glebe	

## WEST RIDING

### (a) AINSTY DEANERIES (New and Old) excluding City of York.

ABERFORD	1675 O.F.	1. Mill, 2. Barrowgate, 3. Hillamcliff, 4. Lea, 5. Street, 6. Darley.
ACOMB	1663 O.F.	1. Far, 2. Chapel, 3. Beck, (1716, 4. Low).
ADEL	1716 closes	
ARMLEY	n.d. (16—) ?	
ASKHAM RICHARD	1663 O.F.	1. West, 2. Middle, 3. East.
BAILDON	1716 closes	'enclosed 1667-8'
BARDSEY	1663 closes	augmented 1716 from the Common. <sup>3</sup>
BARWICK in ELMET	1684 O.F. <sup>4</sup>	1. Low, 2. Little, 3. Carr, 4. High, 5. New Mill [Richmond 1693T and 1716T]
BILTON	1663 O.F.	1. Church, 2. Middle, 3. West.
BIRKIN	1663 O.F.	no Field names
BISHOPTHORPE	1727 O.F.	'the two South Fields, leading from Bishopthorpe to Acaster'
BOLTON PERCY	1716 O.F.	1. Mill, 2. Town.
BRAMHAM	1683 O.F.	1. Audforth, 2. Headley, 3. West
BRAMHOPE	1650 closes	'taken out of the common'
BRAMLEY	1714 closes	'taken out the common' <sup>5</sup>
BRAYTON	1663 O.F.	no Field names.
BROTHERTON	1716 O.F.	1. Croft, 2. Lumbie High, 3. Cliff.
BURLEY	1716 closes	
CAWOOD	1693 O.F.?	1. North? <sup>6</sup>

<sup>1</sup> but 1716T has 'the low fields containing sixte ackers'.

<sup>2</sup> B.M. Harl. 7180 is a map dated 1656. Gallowhill, Pott and High Fields are newly enclosed.

<sup>3</sup> see p. 331 above.

<sup>4</sup> sc. Thoresby Soc., Vol. 17, p. 282.

<sup>5</sup> 40 acres. A further 20 acres 1729 (1743T).

<sup>6</sup> 'meadow and pastureground lying in the North Field.'





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### PLATE III.

#### THE OPEN FIELD PATTERN.

This air photograph includes Wighill village and its open field to the southward down to the banks of the Wharfe. The unridged meadow land, never ploughed, is quite clear. At the bend in the river is the site of the Domesday vill of Easedike. O.S. grid ref. : 44/475470. Photo. ref. : CPE UK 1879/1159.







CHAPEL ALLERTON	1716 closes	
COLLINGHAM	1693 O.F.	1. Old, 2. Town, [Birkdale or Bardale 1716]
COWTHORPE	1662 O.F.	1. Chapel, 2. Wood, 3. Little.
FARNLEY (Leeds)	1716 closes	[at Collingham and Bramley]
FENTON	1716 O.F.	1. Town, 2. Brocklese [n.d. has 1 Tunn, 2 Brorklas]
FEWSTON	1743 closes	
FRYSTON, MONK	1716 closes	
GARFORTH	1662 O.F.	1. Kirk, 2. Firth, 3. Mill.
GUISELEY	1716 closes	“the field lands now walled and well fenced.”
HAREWOOD	1684 closes	
HUNSLET	1714 closes	‘6 acres out of Hunslet common’
HUTTON WANDSLAY	1663 closes	Enclosed 1656; 1. Church, 2. Middle, 3. Holme, 4. Farr. <sup>1</sup>
KIPPAX	1684 O.F.	1. Park, 2. Spartall, 3. abutting on Watling Street. <sup>2</sup>
KIRBY WHARFE	1684 closes	
KIRK DEIGHTON	1663 O.F.	1. Swaile, 2. West, 3. Little, 4. Kirk.
KIRKBY OVERBLOW	1613 O.F.	1. Staynbourne, 2. Kirk, 3. Swindon, 4. Cross. Also North Field in Sicklinghall.
	1716 closes?	
LEATHLEY	1684 O.F.	1. West, 2. Nether, 3. North.
LEDHAM	1684 O.F.	1. East, 2. North (possibly enclosed?)
LEEDS	1716 closes	
MARSTON	1663 O.F.	1. Church. Also T. of Hutton Wandslay q. v.
MOOR MONKTON	1716 O.F.	1. West, 2. Church, 3. Wood. <sup>3</sup>
NEWTON KYME	1684 O.F.	1. Quarry, 2. Moor, 3. Water.
OTLEY	1716 closes	‘taken of ye comon’
PANNAL	1716 closes	‘from common’
POPPLETON, SUPERIOR and INFERIOR	1716 O.F.	no Field names (defective MS.)
RYTHER	1716 closes	
SICKLINGHALL see Kirkby Overblow		
SHERBURN	n.d. (16—) O.F.	1. North, 2. Barkston.
SWILLINGTON	1684 O.F.	1. Great Church, 2. Little Church.
WALTON	1716 O.F.	1. Thorpewest, 2. Water.
WHITKIRK	1684 closes	
WISTOW	n.d. (16—) O.F.?	no Field names.

<sup>1</sup> Indenture of enclosure agreement with T.<sup>2</sup> 1716T has 4. West.<sup>3</sup> East Sandrigs enclosed.

## (b) CRAVEN DEANERY.

ADDINGHAM	1699 O.F.? 1716 closes	1. Town.
ARNCLIFFE	1698 O.F.? 1719 closes	no Field names.
BOLTON by BOWLAND	1690 closes	
BRACEWELL	1693 closes	
BROUGHTON	1684 closes	
BURNSALL	n.d. (16—) O.F.	no Field names.
CARLTON	1684 closes	
CONISTON	1693 closes	
GARGRAVE	1662 closes <sup>1</sup>	
GIGGLESWICK	1684 closes	
GISBURN	1690 closes	
HUBBERHOLME	n.d. (16—) meadow	
KEIGHLEY	1693 O.F.	1. Town, 2. High.
KETTLEWELL	1663 O.F.	1. East, 2. West. <sup>2</sup>
KILDWICK	1684 closes	
KIRBY IRELYTH	1743 closes	
LINTON	1690 ? <sup>3</sup>	
LONG PRESTON	1684 O.F.	no Field names.
MARTON	n.d. (16—) O.F. 1743 closes	no Field names.
MITTON	1716 closes	
SWINTON	1727 closes	'taken from common'
THORNTON	n.d. (16—) closes	
WADDINGTON	1716 closes	

## (c) DONCASTER DEANERY.

ADWICK on DEARNE	1684 O.F.? <sup>4</sup>	
ARMTHORPE	n.d. (16—) O.F.	1. West, 2. North, 3. South, 4. Hawcroft.
ASTON	1684 O.F.? <sup>5</sup> 1727 closes	1. West.
BADSWORTH	1629 O.F.	1. Carr, 2. Mill, 3. Furth [1727 Firth]
BARNBROUGH	1685 O.F.	1. St. Ellen, 2. West, 3. Quarry.
BOLTERSTONE	1727 closes	
BRODSWORTH	n.d. (16—) O.F.	1. West, 2. Ling, 3. East, 4. Windmill.
BURGHWALLIS	n.d. (16—) O.F.	1. East, (1727 Park Ings) 2. Middle, 3. West (1727 Willow)
CAMPSALL	1727 illegible	

<sup>1</sup> 1743T has 'some not inclosed grounds recently in the yeare 1724 awarded to . . .'

<sup>2</sup> 1743T has only a close in West Field; East still open.

<sup>3</sup> small parcels of land.

<sup>4</sup> 1 rood of arable.

<sup>5</sup> '6 acres of arable in West Field'.



CANTLEY	1662 O.F.	1. Hakhill, 2. Church, 3. Whit-hill, 4. Stonedale.
CAWTHORNE	1684 closes	
CONISBROUGH	1727 closes	
DARFIELD	1663 O.F. 1727 closes <sup>1</sup>	1. Upper, 2. Middle, 3. Townend, 4. Bole.
DARTON	1684 ? <sup>2</sup>	
DINNINGTON	n.d. (16—) O.F.	1. Longland, 2. Middle <sup>3</sup> 3. Landon Hill.
EDLINGTON	1663 O.F.	1a. Upper Milldale in Cockhill, 1b. Nether Milldale in Cockhill, 2. Mill (1684 Middle), 3. Nether (1684 Low, 1727 North).
FREETON	1727 closes	
FRICKLEY	1684 closes	
HANDSWORTH	1684 O.F.	1. Woodhouse Low, 2. Woodhouse Heale, 3. Woodhouse Upper Church.
HARTHILL	1662 O.F.	1. North, 2. Southwood, 3. Nether, 4. Upper.
HINSWORTH	1663 O.F.	1. East, 2. North, 3. South.
HOYLAND, HIGH	1684 closes	
HOOTON PAYNEL	1693 O.F.	no Field names.
HOOTON ROBERTS	1663 O.F.	1. Moor <sup>4</sup> 2. Great, 3. Little.
KIRKBRAMWITH	1662 O.F.	1. Woodhouse, 2. North, 3. Mill, 4. Dowburn (1682 Dolborn, 1727 Doburn)
KIRKBY, SOUTH	1684 O.F. 1727 closes	1. Windmill, 2. West, 3. Pasture
KIRK SMEATON	1688 O.F.	1. Westhedge, 2. Middle, 3. Wood.
LAUGHTON	1693 O.F. 1727 closes	1. Vicarbush, 2. Quarry Lays in Slade Hooton.
MALTBY	1663 close	
MARR	n.d. (16—) O.F. <sup>5</sup>	
MEXBOROUGH	1633 O.F.	1. Nether, 2. Middle, 3. West.
OUSTON	1727 close	
PENISTONE	n.d. (16—) closes	
RAVENSFIELD	1633 O.F. <sup>6</sup>	1. Wood, 2. Kirk, 3. Nether.
RAWMARSH	1693 O.F.	1. Nether, 2. Schoolhouse.
ROYSTON	1684 O.F.	1. Greatwest, 2. Windmill.
SANDAL PARVA	1618 O.F.	1. Kirksandal, 2. Longsandal.
SILKSTONE	1662 closes	
SPROTBROUGH	1663 O.F.	1. Rineoak.

<sup>1</sup> 'lands inclosed and exchanged'.

<sup>2</sup> 'lands enclosed from the waste by 12 Anne cap iv.'

<sup>3</sup> 1727T has these as Appley North and Appley East Fields. There is also a Middle Field in Church Anston.

<sup>4</sup> 1727 'More Field on N.W. side of the town.'

<sup>5</sup> '2 acres'. 1727T, '1 rood of arable.'

<sup>6</sup> Mexborough T.

STANTON	1662 O.F.	1. West, 2. North.
SUTTON in Burghwallis	n.d. (16—) O.F.	1. Moor (South 1727), 2. Middle 3. North alias Mill.
SWINTON	1633 O.F. <sup>1</sup>	1. Nether alias North, 2. Middle 3. South at Town's End, 4. West, 5. Sleight.
TANKERSLEY	1662 closes	
THORNE	1727 O.F.	1. North.
THORPE SALVIN	1684 closes	
THRYBERGH	1608 O.F.	1. North towards Hooton, 2. West towards Rotherham, 3. East towards Ranfield, 4. Dalton. <sup>2</sup>
THURNSCOE	1675 O.F. <sup>3</sup>	1. Chapel, 2. Middle, 3. Pool, 4. South, 5. Grange, 6. In.
TODWICK	1630 O.F.	1. Park (Great Park 1684), 2. Far (West 1684). (1684T has also 3. Little Park).
TREETON	1662 closes	
WADSWORTH	1684 O.F.	1. Sand, 2. Wike, 3. Cowbeggar (1727 Coverbeggar).
WALES	1727 O.F.	1. Great North, 2. Little North.
WALTON	1693 O.F.	1. Thorpe Arch Field, 2. Thorpe West. <sup>4</sup>
WARMSWORTH	n.d. (16—) O.F.	1. Dunn, 2. Beck, 3. Middle (1727 3a. Benscroft).
WATH	1684 closes	
WHISTON	1662 closes	
WICKERSLEY	1662 O.F.	1. Church, 2. North, 3. Pinch- well.
WOOLLEY	1727 closes	'60 acres taken from the common'.

## (d) PONTEFRACT DEANERY.

ACKWORTH	n.d. (16—) O.F.	Many Field names, probably furlong-names? (so 1727T).
ADLINGFLEET	1693 O.F.	1. Townend, 2. Trent, 3. West, 4. Fowerstang.
ARDSLEY, EAST	1727 closes	'new inclosed land' (from common?).
BIRSTALL	1662 closes	
CASTLEFORD	1727 O.F.	1. West, 2. East, 3. Roundhill.
CHAPELTHORPE	1684 closes <sup>5</sup>	
CROFTON	1663 O.F.	1. Wakefield, 2. Shaw, 3. Cole- pit.

<sup>1</sup> Mexborough T.<sup>2</sup> 1712T has North, East and South Fields only; Dalton is inclosed. 1727T has Moor, Cross and Low Fields !<sup>3</sup> deed with 1675T speaks of exchange of dispersed lands. 1727T has 'a new inclosure in Pool Field'.<sup>4</sup> not in Walton?<sup>5</sup> Sandal Magna T.



CUMBERWORTH	1685 closes	[1727T has new intakes from the moor].
EMLEY	1684 closes	
FEATHERSTONE	1684 closes	
FRYSTON, FERRY	n.d. (16—) O.F.	1. North, 2. Middle, 3. South.
HALIFAX	1684 closes	
HOLMFIRTH	1688 closes	
IDLE	1727 closes	'27 acres from the common'.
KELLINGTON	1684 closes	
KIRK BURTON	1684 closes <sup>1</sup>	
KIRK HEATON	1663 closes	
METHLEY	1684 O.F. <sup>2</sup>	1. West, 2. Church, 3. East, (1727 has 4 Moorhouse, and quotes 1592T 'revised').
NORMANTON	1684 O.F.	1. Dale, 2. West, 3. Beck.
OSSETT	n.d. (16—) O.F.?	'in our town fields, common land' <sup>3</sup>
PONTEFRACT	1684 closes	
RASTRICK	1684 closes	
RIPPONDEN	1684 closes	
SANDAL MAGNA	1663 closes	
SOWERBY	1684 closes	
THORNHILL	1684 closes	
THORNTON (Bradford)	1727 closes <sup>1</sup>	
WHITGIFT	1727 O.F.	no Field names.
WIBSEY	1684 closes	'from commons'
WOODCHURCH	1727 closes <sup>4</sup>	

## (e) RICHMOND DEANERY.

AINDERBY STEEPLE	n.d. (16—) O.F.?	<sup>5</sup> no Field names.
BEDALE	1684 closes	
BENATON	1684 O.F.?	<sup>6</sup>
COWTON LONG, and SOUTH	1684 closes	
GOLDSBROUGH	1662 O.F.	1. South, 2. West, 3. Town.
KIRBY LONSDALE	1684 closes	
KIRBY RAVENSWORTH	1684 closes	
KIRBY WISKE	n.d. (16—) closes	
KIRKLINGTON	1684 closes	
MARTON cum GRAFTON	1662 O.F.	1. East, 2. Carr, 3. Illegible.
NIDD	1663 closes	

<sup>1</sup> but in 'dayworks'.<sup>2</sup> see map in Thoresby Soc. 35 (1934).<sup>3</sup> 1727T also has land given by Queen Anne's Bounty in South Crosland, all closes.<sup>4</sup> 'new inclosed lands.'<sup>5</sup> 1684T has closes, in arable lands 17 acres'.<sup>6</sup> There are 'falls' of land.

OUSEBURN, GREAT	1684 O.F. <sup>1</sup> n.d. (16—) closes	
POULTON	1663 closes	
RIPLEY	1684 closes	
STANLEY alias STANELY MADEBY	1662 O.F.	1. West, 2. Low, 3. Spellay (1694 Spellon).
SPENITHORNE	1675 O.F.	1. Middle, 2. West.
TANFIELD, WEST	1684 O.F.	1. High, 2. Middle, 3. Mill.
TATHAM	1684 closes	
THORNTON WATLAS	n.d. (16—) ?	
URSWICK	1663 closes	
WENSLEY	1684 closes	

## DEAN and CHAPTER MS Terriers.

BIELBY [E.R.]	1733 O.F.? <sup>2</sup>	no Field names.
ELLERBURN	1733 O.F.	no Field names.
GIVENDALE, GREAT [E.R.]	1733 O.F.	no Field names.
POCKLINGTON (townships of Meltonby and Yapham)	1733 closes	'There is an agreement upon Inclosure settled by a Com- mission'.

## RIPON AND MASHAM DEANERY.

BURTON LEONARD	1743 closes
HORNBY	1743 closes

<sup>1</sup> 'the several open fields.'<sup>2</sup> oxgangs.



## TWO NOTES ON THE HISTORY OF RICHMOND SCHOOL, YORKSHIRE

By LESLIE P. WENHAM, M.A., M.Litt., M.Ed.

### (I) LETTER OF THE PRIOR OF DURHAM *circa* 1486.

The following letter<sup>1</sup> written by John de Auckland, Prior of Durham, to the "ryght honourable and worshippfull, my Lord Fitzhugh" supplies some interesting material relating to the early history of Richmond School Yorkshire :—

Ryght honourable and worshypful, I recommend me to yow in full lowly wise. And please itt your gud lordshipp to be remembred of my writing to yow latte sennt to th'entent that itt likett yow to shewe your good bennevolence and tendre lordshipp to on sir John Gardiner, scole maystre att Rychemond, to be wyth me and my bredir att Duram, to enforme and teche the poor scolers of our place ther fon of our almose, werin, as I am credibely enformett by Thomas Tebbe, sum tyme synger in my Lord of Sarum chapell, thatt your sayd worshippfull lordshypp wold be favorably inclyned and tendre support to myn entent in this behalve. And be itt, that, as itt doon me to understand, that ther be certyn burgesses and othre gentilmen of the contre nott wole willing that the said sir John suld come to us, to the effect aforsaid, wyth wom we er throught and fully agreed in that party. Werfor I beseke your said honorable lordshypp that ye wold geve in charge and in commawdment unto the said burgesses, and othre, that thai in no wise lett ne distruble hym to fulfyll his beest and promysse herine to us made, as my full trust is in your full worthy estate, and that ye wald geve full credence to the berer heroff, the wilke shall informe your gud lordshypp in thys premysses, and othre more at large on my behalve. And our lord Jesus preserve your full noble estate to his plesier and your hartys desire. Wrytten att Duram, the xvii day of April.

Your own att hys power.

John Priour of Duram.

Though merely dated 17th April, it is possible on internal evidence, to refer this letter, with almost complete certainty, to either 1486 or 1487. John de Auckland was Prior of Durham 1484-1494. The Lord FitzHugh to whom it was addressed must have been Richard, Lord FitzHugh of Ravensworth, who succeeded to the title on 8th June 1472 at the age of 14 and who died

<sup>1</sup> *Surtees Society* vol. 9, *Historiae Dunelmensis Scriptores tres*, p. ccclxxvi.

20th November 1487. (George, his son and successor to the title, can be omitted from all consideration as he was only "one year and more" in March 1487/8). On the 24th September 1485 Fitz-Hugh was appointed "Steward of the franchise, and Constable of the castle, of Richmond, Steward of the lordships, and constable of the castles, of Middleham and Barnard Castle, and Master-Forester of the New Forest by Richmond . . . . . all for life."<sup>1</sup> It seems reasonable to ascribe the Prior's request to the time when FitzHugh held such important positions within the Honour of Richmond—he would then be well able to "geve in charge and in commawdment unto the said burgesses and othre"—and so the possible period for the letter is likely to be still further reduced to between 24th September 1485 and 20th November 1487: i.e. it must date either 17th April 1486 or 17th April 1487.

Nothing is known of Thomas Tebbe personally. The following note is appended to explain the significance of the expression "sum tyme synger in my Lord of Sarum chapell." Richard Beauchamp was Bishop of Salisbury from 1450 until his death on 4th November 1481.

Amongst the Papal Letters extant is one [from Pope Pius II], dated 6th Sept., 1459, to the Bishop in answer to his petition, expressive of [his] desire that he might have some singers, expert in music, in order that the divine offices in his private chapel might be celebrated with as great or greater decency than had hitherto been the case. The letter gives him permission to have, during the whole of his life, four such singers of his diocese, whether they held parish churches, or perpetual vicarages, or were members of any religious bodies, or even were mendicant friars, whom he might replace by others as often as was expedient; and he was not to be deprived of any of these singers, even by their own superiors. Moreover, those of them who were rectors or vicars might enjoy still the fruits of their benefices, just as much as they would do if they were resident therein, provided that the cure of souls was not neglected.<sup>2</sup>

It is to be assumed that sometime after the Bishop's death in 1481 Tebbe had become attached in some capacity or other (? again as singer) to the Chapter of Durham. The letter gives no indication of his precise connection with either the Prior or with FitzHugh, though he obviously acted as an intermediary of some sort between them over the matter in hand. In the letter the Prior specifically states that Gardiner was wanted to teach "the poor scolers ther fon of our almose" and the reference must be to the Almonry School at Durham which was founded sometime before 1290-1300 and housed in the Infirmary.<sup>3</sup> (A house and stable built on the site of the Infirmary are now part of St. Chad's

<sup>1</sup> Gibbs and Doubleday, *Complete Peerage*, v. pp. 429-30.

<sup>2</sup> *Wilts. Arch. Magazine*, xlvii, p. 164; cf. *Cal. of Papal Letters*, xi, p. 552.

<sup>3</sup> R. B. Hepple, *Mediæval Education in England* (Historical Association leaflet no. 90), p. 12.



College). At this school "a varying number of boys, never very large, were boarded and instructed in song and such auxiliary subjects as were necessary to fit them to take part in some of the church services and eventually to become members of the Order, though not necessarily as professed monks."<sup>1</sup>

As Almonry Schools generally ranked inferior to Grammar Schools,<sup>2</sup> it may appear somewhat surprising to find Gardiner so anxious to take up this new appointment. However, factors of a financial nature, of which we know nothing, may have induced him to contemplate the change. A rich monastic foundation like Durham, for instance, would no doubt be able to offer its Almonry master a salary larger even than that offered to a Grammar School master in a borough such as Richmond. Though it would not require a teacher of outstanding ability to manage an Almonry School, there must have been something about Gardiner which made the Prior so anxious to obtain his services. (It is to be noted in this connection that the above letter was not the Prior's first request to FitzHugh on this matter). May we assume that in those years—so soon after the accession of Henry VII and the end of the Wars of the Roses—the Almonry School at Durham had declined in efficiency and, with good schoolmasters at a premium, the Prior, having heard good reports of the Richmond master, was determined to spare no effort to get him to transfer to Durham? Practically none of the names of the masters of the Durham Almonry School have come down to us so that it is impossible to prove, by reference to these, whether or not Gardiner made the change.

The earliest references to the mediaeval Grammar School in Richmond occur in Matthew Hutton's<sup>3</sup> abstract<sup>4</sup> of the Registers of the Archdeacon of Richmond and date respectively to the years 1392/3 and 1397. They merely give the names of the two Masters and the dates when they were "collated" i.e. licenced to teach in the School by the ecclesiastical authorities; they read:—<sup>5</sup>

17 Jan. 1392/3. Steph. Moys clericus collatus ad scholas grammaticales Richm.

12 Jun. 1397. Ric. Forster cl'icus collat. ad scholas grammaticales in Richm. per d'n'm Archid.

Except for the Prior's letter here under consideration, the pre-Elizabethan Grammar School in Richmond is not met with

<sup>1</sup> R. B. Hepple, *Mediaeval Education in England* (Historical Association leaflet no. 90), p. 12. In addition to the Almonry School, a Choir School, Chantry School, Grammar School, Song School and Grammar School (Chantry foundation) also existed at this time in connection with the monastery.

<sup>2</sup> Cf. A. F. Leach, *Schools of Mediaeval England*, pp. 213-234. He notes (p. 219) that when the monastery at Durham was turned into a cathedral at the Dissolution, the last master of the Almonry School became the usher (second master) of the Cathedral Grammar School.

<sup>3</sup> Archbishop of York, 1747-57 and of Canterbury, 1757-8.

<sup>4</sup> Brit. Mus., *Harl. Ms.* 6978. Printed in *Y.A.J.*, xxv (1919), xxx (1931) and xxxii (1936).

<sup>5</sup> *Y.A.J.*, xxv, pp. 192 and 196.

again except in the Chantry Surveys of the years 1545-8 when one John More, last incumbent of the Chantry of Our Lady in the Parish Church, was Master.<sup>1</sup> The second of these references (see footnote<sup>1</sup> below) states that his stipend was £6. 13s. 4d. annually and adds that it was "graunted to him by the burgesses and bayliffes of the said towne, as apperithe by his pattent vj*li*. xiijs. iiij*d*." This, taken in conjunction with the letter under consideration, suggests an important fact as to the internal management of this Richmond School at this early period—that the appointment of the Master was under the direct, or indirect control (from the tone of the letter the emphasis is to be placed rather on the former than the latter) of "certyn burgesses and othre gentilmen" of the borough who may, not unreasonably, be interpreted as the body then corresponding to the modern Corporation.

The present foundation dates from 14th March 1566/7 when Queen Elizabeth, following a petition from Richmond, granted a charter of incorporation.<sup>2</sup>

## (II) JACOBITE PRISONERS, JANUARY 1745/6.

After mentioning the liberality of the inhabitants of Richmond in subscribing money for the defence of the kingdom against the Scots during the Jacobite Rebellion of 1745-6 and of the volunteer companies of horse and foot raised in the neighbourhood to repel any Scots incursion attempted down the east coast route into England, Clarkson<sup>3</sup> writes:—

The only inconvenience experienced here, was from the custody of the Scotch prisoners, on their removal to the north, many of whom were confined in the Grammar School,<sup>4</sup> and others in Trinity Chapel,<sup>5</sup> and from an expence of 1*l*.

### <sup>1</sup> References—

(i) Chantry Certificate no. 66 (P.R.O., E. 301/66), cf. *Sur. Soc.* 91, p. 518, and Leach *English Schools at the Reformation*, p. 285. The Richmond reference dates 14th February 1545/6.

(ii) Chantry Certificate no. 63 (P.R.O., E. 301/63), cf. *Sur. Soc.* 92, p. 142 and Leach, *op. cit.*, p. 287. Richmond reference dates 14th February 1547/8.

(iii) *Augmentation Office Chantry Certificate* no. 102 ms. 6 (P.R.O., E. 301/102), incorrectly called no. 108 in *Sur. Soc.* 92, ii, p. x, and Leach, *op. cit.*, p. 288. Richmond reference dates 11th August 1548.

<sup>2</sup> The Letters Patent granting the Charter to the School (enrolled on *Pat. Roll* C 66/1035 and on *Originalia Roll* E 371/434 no. 185) expressly state that the grant was made following a petition from Richmond. Despite extensive search in the P.R.O. and elsewhere this petition has not come to light.

The Latin version of the Charter is printed in C. Clarkson, *History of Richmond* (1821), appendix xxvi.

<sup>3</sup> *History of Richmond* (1821), p. 420.

<sup>4</sup> Then a small building in the north-east corner of the churchyard.

<sup>5</sup> This building was used for many secular purposes at this time, e.g. the Consistory Court met there and, until the present Town Hall was built *circa* 1759, Council meetings were occasionally held there.



10s. upon the Corporation for impressing carriages, providing candles &c. for soldiers on their march through the town, and for horsehire for the lame and sick.

The following contemporary document lists the expenses paid by the town when 193 Scots prisoners were lodged there in the course of their journey from Carlisle to York Castle. It is a folio of roughly foolscap size, written on the first two sides only; the last page being blank. It has been folded up as though to fit into a bundle, the single word "Rebels" being written on the outside. It was found among some papers of the late Mr. C. G. Croft of Richmond (1841-1919), for many years Town Clerk of Richmond and Clerk to the Governors of the Grammar School: he came of an old Richmond family. It is probable that the paper was originally in a bundle belonging either to the Borough or the School, more likely the former. "The High Sheriffes Order or Directions" named as attached to it, is missing.

AN ACCOUNT<sup>1</sup> and particular of the Charge and Expence which the Constabulary or Township of Richmond in the North Riding of the County of York were at in finding and providing the Severall Necessarys hereinafter mentioned and Setforth, (in Obedience to the High Sheriffes Order or Directions for that purpose and hereunto Annexed) for the Rebell Officers and other Rebels on their Journey from Carlisle through the Town of Richmond aforesaid to York Castle in all 193—the 15th. Jan; 1745.<sup>2</sup>

Bought of Mrs. Close, A peice of Beef, 21lb. at			
2d. p pound .. .. .	3	6	pd <sup>3</sup>
Ditto Half of a Swine head and one peice of			
Pork .. .. .	1	0	pd.
Do. One Side of Mutton 36 lb. at 2d. p Pound	6	0	pd
Of John Smith One Quarter of Mutton and			
loine and lisk 31 lb. at 2d. p Pound ..	5	2	pd.
Of Samuel Taylor One Quarter of Mutton			
15 lb. at 2d. p pound .. .. .	2	6	pd
Of Edward Addinson One Quarter of Do.			
13 at 2d. p pound .. .. .	2	2	pd
			1 0 4

George Bland for Candles 4 lb. unto the			
School house for the Rebell Officers And			
4 lb. unto the Common Hall for the Common			
Rebels .. .. .	3	4	pd
Unto Mathew Olive for Brown Bread ..	16	8	pd T.K.
			1 0 0

<sup>1</sup> The spelling throughout is that of the original.

<sup>2</sup> O.S. 1746 N.S. Charles Edward raised his standard at Glenfinnan on 19 August 1745; started his march south from Edinburgh on 31 Oct. and his retreat from Derby on 6 Dec.; the Battle of Culloden was fought on 16 April 1746. The Richmond prisoners were doubtless captured during the disastrous retreat north.

<sup>3</sup> The entries in this column are in a different hand.

Unto Issabella Salvin for Cooking .. ..	1	0	pd		
Do. unto George Wade for Cleaning the Copper	0	6	pd		
Do. unto Elianor Mawer for White Bread unto the School House for the Rebel Officers	1	6	pd		
Do. unto Rode Horseman for White Bread unto the School House for the Rebel Officers .. .. .	0	3	pd		
Do. unto George Lambert for Cording to bind the Rebels .. .. .	2	5	pd		
Do. for a Cheese 14 lb. and a half at $1\frac{1}{2}$ d. p pound .. .. .	1	$9\frac{3}{4}$	pd		
Do. for Salt .. .. .	0	5	pd		
Do. for Oat Meal .. .. .	0	9	pd		
Do. unto Joshua ffisher for Two Tubbs ..	2	0	pd	10	$7\frac{3}{4}$
An Account of the Carts and Sadle Horses that Carried the Rebels from Richmond to Bedale.					
Coburn Constable John Dixon 2 Carts 4 Horses Each Cart 9d. p Mile .. ..	12	0	pd		
Brumpton John Wharton 1 Cart 3 Horses at $6d\frac{3}{4}$ p Mile .. .. .	4	6	} pd to Robt. Nichols		
Do. John Todd 1 Cart 4 Horses at 9d. p Mile	6	0			
Do. John Row 1 Cart 4 Horses at 9d. p Mile	6	0	pd		
Hipswell 1 Cart 4 Horses at 9d. p Mile ..	6	0	pd		
Richmond Martin Clarkson 1 Cart 3 Horses at $6d\frac{3}{4}$ p Mile .. .. .	4	6	pd	1	19 0
				4	9 $11\frac{3}{4}$
Brought Over ..				4	9 $11\frac{3}{4}$
Hudswell George Greathead One Cart 3 Horses at $6d\frac{3}{4}$ p Mile .. .. .	4	6		0	4 6
An Account of the Straw for the use of the Rebels.					
Thomas Hardy 6 Load of Straw .. ..	6	0	pd		
David Hird 2 load of Do. .. ..	2	0	pd		
Mr. Wilkinson 1 load of Do. .. ..	1	0	pd		
Joseph Bateman 2 load of Do. .. ..	2	0	pd		
John Swales 1 load and a half of Do. ..	1	6	pd		
Richard Cuitt 2 Load of Do. .. ..	2	0			
Richard 1 load of Do. .. ..	1	0		0	15 6
An Account of the Sadle Horses.					
Cuthbert Morley himself & Horse .. ..	2	0			
Thomas Kelley for himself and Horse ..	2	0	pd		
William Burrell 3 Horses .. ..	2	6	pd	T.K.	
Ralph Waggott 6 Do. .. ..	5	0	pd		
John Loftus 1 Do. .. ..	0	10	pd	T.K.	
Richard Sadler 3 Do. .. ..	2	6	pd		
George Cust 1 Do. .. ..	0	10	pd	T.K.	
Ann Watkin 3 Do. .. ..	2	6	pd		
Richard Thompson 2 Do. .. ..	1	8	pd	T.K.	
Ambrose Rooksby 1 Do. .. ..	0	10	pd	T.K.	
George Bland 2 Do. .. ..	1	8	pd		
Thomas Furniss 2 Do. .. ..	1	8	pd		
John Walker 3 Do. .. ..	2	6	pd		
Thomas Tennant 4 Do. .. ..	3	4	pd	T.K.	
Mathew Hodgson 5 Do. .. ..	4	2	pd	T.K.	
Mathew Oliver 1 Do. .. ..	0	10	pd	T.K.	
Richard Brass 1 Do. .. ..	0	10	pd	1	15 8



The School House 2 loads of Coals for the				
Rebel Officers at 1 p Load .. ..	2	0	pd T.K.	
The Common Hall 2 Loads of Do. for the				
Common Rebels at 1s. p load .. ..	2	0	pd T.K.	
			0	4 0
				<hr/>
			7	9 7 $\frac{3}{4}$
Pd : Geo. Greathead a Cart & 3 Horses for				
Hudswell Omitted .. ..			0	3 6

The fact that the Scots were travelling south (Clarkson's were going north), that the total amount expended on them was over £7 (as compared with £1 10s.) and that they were housed in the Grammar School and Common Hall<sup>1</sup> (not Grammar School and Trinity Chapel) suggests that this document relates to another quite separate and distinct incident in the same rebellion.

It is unlikely that the rebels halted long in Richmond. The single date—15th January 1745—given on the document may be taken to suggest that it was no more than one night. Such an assumption would imply that the townsfolk had to supply them with a minimum of two meals. If this were so the Scots were well treated. The meat ration (beef, mutton and pork) works out at 9 ounces a head; they also had oatmeal, fish, cheese, salt and bread (white for the officers and brown for the "other ranks"); in addition they were liberally supplied with candles for lighting, coals for heating and straw for bedding. Transport—gleaned from the town and villages around—was also generous and totalled 40 saddle horses and 8 or 9 carts (the last item relating to George Greathead of Hudswell may have been included twice). The horses were possibly provided for the officers and the carts for the sick and wounded. The next "leg" in the journey was a short one; Bedale<sup>2</sup> is only 14 miles from Richmond. The only entry in the entire document with any "sting" in it is that of the 2s. 5d. spent on "cording to bind the rebels."

<sup>1</sup> The present Town Hall is built on the site of the old Common Hall. In 1746 the latter was in a very dilapidated condition and twelve years later it was pulled down and replaced by the existing building.

<sup>2</sup> A field on the outskirts of Bedale (on the Bedale-Well road) is locally known as "the Scots field."

## TWO MARIAN PETITIONS.

by PROFESSOR A. G. DICKENS, M.A., F.R.Hist.S.

Both the following petitions, hitherto unprinted, represent in a very literal sense, the Marian Reaction in Yorkshire. The first, directed to Queen Mary by a young cleric, John Houseman, claims redress and damages against the reforming prelate Archbishop Holgate, who had refused the petitioner admission to the priesthood and in 1550 had excluded him from his living as being one of those in the Minster opposed to clerical marriage. The affair gains an added piquancy when we recall that Holgate, despite his advanced age, had in January 1550 married Barbara Wentworth of Elmsall and had been in the following year involved in a pre-contract suit by a Doncaster rival, Anthony Norman.<sup>1</sup> Matrimony stood pre-eminent in the list of offences on account of which the Archbishop was deprived by the Marians on 16th March 1554. The present undated petition, which speaks of him as 'nowe archbysshope of Yorke' must at least be earlier than that date. Again, as will become apparent, its author John Houseman obtained a Yorkshire living in December 1553, a particular he would almost certainly have included in this brief biography had he been writing later than that date. The general terms of the document, especially its endorsement, suggest a date between the accession of Mary, 19th July 1553, and 4th October 1553, when Holgate was thrown into the Tower.

John Houseman tells us something of his earlier life in this petition and the present writer has succeeded in tracing several additional stages of a career in many respects very typical of the conservative clergy of Yorkshire. He first appears in Holgate's chantry survey of 1548 as a clerk of St. Sepulchre's chapel adjoining the Minster: 'John Howseman of the age of xxiiij yeres, of honest conversacion and qualities, having in lyving of the sayde chapell xiijs. iiijd., and besides the same, of the church of Yorke the yerely value, xlvjs.; in all, lixs. iiijd.'<sup>2</sup> In the petition he describes himself as a deacon in the church of York and as having enjoyed an annual stipend of five pounds for seven years prior to his expulsion by Holgate in the significant year 1550. After the events so tactfully described here, his allegiance to the old learning appears to have ensured rapid preferment and in all likelihood pluralism. In December 1553 he was ordained priest in Bonner's diocese of London and became curate of Bilbrough, near York.<sup>3</sup>

<sup>1</sup> Cf. *Eng. Hist. Rev.*, lii, 429 *seqq.*, lvi, 450 *seqq.*

<sup>2</sup> *Yorks. Chantry Surveys* (*Surtees Soc.*, xcii), p. 429. The foundation included a master, twelve prebendaries, two priests conduct and two 'clerks'; the other of these last two juniors was only twenty-one.

<sup>3</sup> W. H. Frere, *The Marian Reaction*, p. 263.



When the Marians in 1554 deprived Dr. William Clayborough of the mastership of St. Mary Magdalen Hospital at Bawtry, it was bestowed upon John Houseman, who held it until his resignation in 1584.<sup>1</sup> That we hear so little of him at Bawtry is probably due to the fact of his non-residence. In 1554 a John Houseman—it seems almost certainly he—was presented by Bonner to the vicarage of Canewdon, Essex.<sup>2</sup> An entry in the patent rolls dated 28 January 1555 shows him receiving a lease of the rectory of Canewdon during his vicariate for a nominal rent, on condition he repairs the chancel and tithe-barn, now in ruin by the rector's default.<sup>3</sup> About this time too, Houseman stoutly championed the rights of his parish to the charitable residue of an obit, the lands of which had been purchased by an apparently grasping layman, and in 1557 he succeeded in obtaining a chancery award reserving a yearly rent of £2. 12s. 2d. to the use of the parish poor.<sup>4</sup>

He is alleged by an Essex historian<sup>5</sup>—on what evidence does not appear—to have taken a hand in persecuting Protestants during these years and the story is at least well in character. Nevertheless, like so many Yorkshire clergy of equally pronounced views, Houseman continued to hold his livings under Elizabeth. As late as 1585 he was in trouble with Bishop Aylmer concerning the validity of his tenure of Canewdon, having enjoyed it for thirty years.<sup>6</sup> The outcome of this dispute remains obscure, but a new vicar was collated to the vicarage of Canewdon in 1588 while in the same year the will of a John Houseman 'clerke, person of Engellfeelde,' Berkshire, was proved in the Prerogative Court of Canterbury.<sup>7</sup>

Two general observations seem appropriate to Houseman's petition of 1553. It provides but one of many examples of that distaste for clerical marriage shared by conservative northerners with Queen Elizabeth herself. Of our Yorkshire commentators on the Reformation, both the Marian Robert Parkyn<sup>8</sup> and the Elizabethan Sherbrook<sup>9</sup> voice the prejudice in strong terms. On the popular level appear several parallel evidences, including the visitation case (1586) of Anne Grecyan of Seamer, who 'callethe the curate's children preiste's calves and sayth it was never good worlde sence mynisters must have wyves'.<sup>10</sup> Again, Houseman's

<sup>1</sup> York Diocesan Registry, Reg. Heath and Act Book 2; Hunter, *South Yorks.*, i, 76-8; *Vict. Co. Hist.*, Notts., ii, 164.

<sup>2</sup> P. Benton, *History of Rochford Hundred*, p. 118.

<sup>3</sup> *Cal. Pat.*, Philip and Mary, 1554-5, p. 244.

<sup>4</sup> Benton, *op. cit.*, pp. 111-112.

<sup>5</sup> *Ibid.*, p. 118.

<sup>6</sup> Strype, *Life of Aylmer* (edn. 1821), p. 78. This account is obviously based on incomplete evidence.

<sup>7</sup> *Index Library*, xxv, 223. The present writer has not verified this possible connection by inspecting the will itself.

<sup>8</sup> Cf. his narrative of the Reformation printed in *Eng. Hist. Rev.*, lxii, especially pp. 68, 82.

<sup>9</sup> Brit. Mus. Add. MS. 5813, fo. 23. Cf. on this treatise *An Elizabethan Defender of the Monasteries* in *Church Quarterly Rev.*, July-Sept., 1940.

<sup>10</sup> York Diocesan Registry, R. vi, A. 9, fo. 105v.

plea will scarcely be accepted at its face value by students conversant with such petitions or—to cite parallel phenomena—with Star Chamber records. In petitioning against their adversaries, our Tudor forbears were not even expected to display impartiality. Always on their side stands a seraphic and immaculate innocence : on the other, what Houseman here calls ‘extorte myghte and power, pretenced and malycious mind.’ In this case it requires but little discernment to perceive the likelihood that Houseman gave great provocation to the Archbishop and that the latter would have little alternative to the use of disciplinary pressure against the opposition ringleaders inside his own metropolitan church.

Our second petition, of greater historical consequence, was made to Cardinal Pole by John Hamerton of Monkrode and Purston Jaglin, Sub-controller of the Household to Henry VIII and Mary, and the leading member of a family notable over a long period for its conservative opinions and affinities.<sup>1</sup> This document constitutes a moving plea for the town of Pontefract, which the writer regards as desolated by the loss of so many religious foundations. Its mayor and burgesses had apparently petitioned earlier to similar effect, but between the reigns of Henry VI and James I they lacked parliamentary representation and would naturally enough allow this conservative local gentleman, well known at court, to pursue the suit on their behalf.

The document is undated and contains no detailed evidence as to date. It was certainly an episode in a lengthy suit made by Hamerton to the cardinal and must hence have been presented to the latter some considerable time after his return to England in November 1554 ; it seems most unlikely to be earlier than 1556 and cannot be later than 17 November 1558, when Pole died a few hours after Queen Mary herself. Hamerton’s petition yields a number of local particulars concerning Pontefract in transition. More important, it affords an interesting comparison with those many efforts made during the middle decades of the century by Yorkshire towns—among them York,<sup>2</sup> Hull,<sup>3</sup> Beverley,<sup>4</sup> Sheffield,<sup>5</sup> Doncaster<sup>6</sup> and Rotherham<sup>7</sup>—to alleviate the untoward effects of

<sup>1</sup> Cf. J. Foster, *Yorks. Pedigrees*, i. The elder branch had fallen with the execution and attainder of Sir Stephen Hamerton for his share in the Pilgrimage of Grace. Sir Stephen’s nephew John, who regained Hellifield in 3 Elizabeth is not to be confused with his distant cousin, our present John Hamerton, head of the younger branch which resided at Purston Jaglin Old Hall. Cf. B. Boothroyd, *Hist. Pontefract*, p. 153. Our John Hamerton is however described as ‘of Pomfrete’ by Sir Stephen’s brother, Richard Hamerton of Slaidburn, whose will he supervised (*Testamenta Eboracensia* (Surtees Soc.), vi, 86).

<sup>2</sup> *Y.A.S., Rec. Ser.*, xxvii, pp. xxxiii seqq; *York Civic Records*, *passim*; *Y.A.J.*, xxxvi, 164 seqq.

<sup>3</sup> J. Tickell, *Hist. Hull*, pp. 207-8.

<sup>4</sup> G. Oliver, *Hist. and Antiq. Beverley*, pp. 188-9.

<sup>5</sup> J. Hunter, *Hallamshire*, pp. 239-42.

<sup>6</sup> J. Hunter, *South Yorks.*, i, 20.

<sup>7</sup> *Y.A.S., Rec. Ser.*, xxxiii, p. lxxii; Brit. Mus. Add. MS. 5813, fos. 21-21v.



the dissolutions and to use dissolved or moribund foundations for the public benefit. Yet in the hands of social historians lacking a local background such a document could prove highly misleading. In particular, certain cautionary reflections should deter us from using it to support the blackest view of the material effects of the dissolutions.

The reader will observe that, though the writer alleges 'bodily' as well as 'ghostly' distress, his actual suit is not even remotely economic in character: he merely pleads for the repair of the church of the Trinity Hospital, otherwise called Knolles Almshouses.<sup>1</sup> Moreover, he writes at the darkest moment of the story, when the continuance of even schools and hospitals seemed gravely menaced, when the more benovolent and constructive Elizabethan spirit could not be foreseen. The reformation-process must be judged not by such documents seen in isolation, not solely by the Edwardian years, but in the light of the fact that Elizabethan and Jacobean laymen almost everywhere restored to charity and education far more than their immediate predecessors had withdrawn. Pontefract, an unlucky town both in this century and the next, presents in fact one of the examples least favourable to this non-tragic thesis. Yet even here the almshouse part of the Trinity College was continued, under full control of the corporation, by Queen Elizabeth's ordinance of 1563 under seal of her duchy of Lancaster. It was then considerably augmented by bequests of property under the will of John Mercer in 1574.<sup>2</sup> The other hospital, that of St. Nicholas, is alleged in James I's charter of 1605 to have been maladministered, in that the King's auditors and receivers had placed in it persons not being inhabitants. It had nevertheless survived and was also henceforth vested in the corporation.<sup>3</sup>

That even the Edwardians—they in fact destroyed more by ignorance than by actual rapacity—were anxious not to terminate the work of these almshouses appears in at least two documents. One of these, in the duchy of Lancaster records,<sup>4</sup> recommends the continued yearly payment of 55s. to seven poor men and six poor

<sup>1</sup> Not 'for the reedifying of the college and hospital', as alleged in *Cal. S. P. Dom., Addenda, 1547-1565*, p. 442. A suit over the custody of lead and bells from the college had recently taken place between the king's Receiver of the Honor of Pontefract and John Bellow, Surveyor of the West Riding (*Ducatus Lancastriae, Cal. to the Pleadings*, i, 268).

<sup>2</sup> Copies of both ordinance and will are in the municipal archives. Cf. *Hist. MSS. Comm. 8th Rep., App.*, p. 271.

<sup>3</sup> *Ibid.*, p. 273, prints the Latin text of this passage and G. Fox, *Hist. Pontefract* (1827) pp. 37-8, the English version. The Crown continued to nominate to some places. Cf. *Cal. S. P. Dom.*, 1603-1610, p. 497.

<sup>4</sup> It used to be in Class xxv, Q, no. 8 (Cf. *D. K. Rep.*, xxx, App., p. 13) and is printed in *Y.A.S., Rec. Ser.*, xxxiii, 28-42. Its present whereabouts seems effectively hidden by the new classification, so uninformatively set out in *P.R.O., Lists and Indexes*, xiv. This document also recommends the continuance of Pontefract Grammar School, but on an obviously inadequate basis. On the dispositions made by the Elizabethans to rectify this, cf. *Vict. Co. Hist., Yorks.*, i, 437; *Y.A.S., Rec. Ser.*, xxxiii, 42 *seqq.*

women in Knolles Almshouses. The other, in the West Riding pensions survey of 26 November 1552, gives fourteen names under the heading 'hospitale sancti Nicolai in Pontefracto' and the note: 'thes persons be callyd eremettes and be pore and agyd people and placyd in a house callyd seynt Nycoles hosspytall. And when any of them dyeth an other ys placyd in the dede's rowme; and ys very convenyent to be contynuyd aswell for the helpe of the pore and agyd people of the towne of Pontfrett, wher the same standyth, as for others. The pencons was payd furth of the revenewes of the late monastery of saynt Oswaldes.'<sup>1</sup> The pensions enumerated include one of 100s., one of 40s., the rest of 26s. 8d.<sup>2</sup>

Hamerton here records that some of the 'pensioners'—he presumably means these pensioned poor—were occupying the parsonage, an unsatisfactory arrangement which is unlikely to have been accorded more than temporary duration. It is even less satisfactory to note that the 'church' of the Trinity College, for which Hamerton pleads, and which had once apparently filled parochial as well as almshouse functions,<sup>3</sup> ultimately became a cattle shed.<sup>4</sup> Yet it should likewise be recalled that the town had already two parish churches and that Elizabeth herself rebuilt St. Clement's collegiate chapel, also of parochial significance, though inside the castle.<sup>5</sup>

Hamerton's account of the parish clergy—an unlearned vicar with an inadequate stipend hiring two assistants—has a note of tragedy which the facts scarcely justify, for in some respects the position was better, in others worse, than in the days when the Priory had been appropriator of the living. The best the house ever did for the town is expressed in the agreement made on 31 December 1533 between corporation and Priory, whereby the latter agreed to find two chaplains to serve the cure, one at All Saints', the other at St. Giles.<sup>6</sup> We thus in 1535 find the Priory deriving £54. 5s. 4d. from the living and paying to the vicar, Robert Wermerslay, £13. 6s. 8d.; to John Kerver, cantarist in All Saints', £5.; and to Robert Adwick, 'perpetual cantarist' in St. Giles, £2. 10s.<sup>7</sup> When the Crown succeeded the Priory as patron, it gave the vicar the small tithes in place of the £13. 6s. 8d.<sup>8</sup> Though these tithes may, as Hamerton states, have for the time being produced less than forty marks, and though in fact Pontefract was less well endowed than the other great parishes of the West

<sup>1</sup> St. Oswald's of Nostell, which, profitably to itself, had appropriated the hospital (*Valor Ecclesiasticus*, v, 63).

<sup>2</sup> Publ. Rec. Off., Exch. T. R. Misc. Books of Receipt, lix (E/36/59), p. 45.

<sup>3</sup> Cf. e.g. the will in *Test. Ebor.*, vi, 256.

<sup>4</sup> Boothroyd, *op. cit.*, p. 387.

<sup>5</sup> *Ibid.*, p. 362. Cf. *infra*, p. 383, note 2.

<sup>6</sup> *Ibid.*, pp. 351-2.

<sup>7</sup> *Valor Eccles.*, v. 65-6, 72. There were in addition two or three other small contributions to chantry priests, in connection with other agreements.

<sup>8</sup> Boothroyd, *op. cit.*, p. 352; Fox, *op. cit.*, pp. 271-2.



Riding, the new endowment was nevertheless much handsomer than the total stipends paid by the Priory to all the parish and chantry priests put together. On the debit side, Pontefract lost such parochial ministrations—not inconsiderable so long as the roman rite continued—as were performed by the chantry priests.<sup>1</sup> Certainly the town should have been allowed some of the chantry properties—especially those of St. Giles<sup>2</sup>—to endow a fully-fledged second parish. Yet the fact remains that even in Pontefract there occurred no general collapse of parochial endowment but merely a decrease in the numbers of priests and masses.

By thus investigating the realities beneath Hamerton's petition, we are enabled to re-read it in a better light, to analyse with more certainty the nature of the grievance felt by the Yorkshire Marians. At every point we receive salutary reminders that in our zeal for social-economic investigation we too frequently neglect the psychological tensions imposed by the Reformation-changes upon provincial societies unprepared for their reception. Quite apart from the spectacle of towns defaced by ruins, the feature which obviously worried Hamerton and many likeminded Yorkshiremen was the disappearance from their midst of a whole clerical society, of monks to whom distance was already beginning to lend enchantment, of cantarists who had formed an integral part of corporate parish life and whose return seemed logically demanded by the return of the Mass and the confessional. At every point clerical and lay society had been closely interlocked; with all its shortcomings, the former had without question comprised the most spiritually and intellectually cultivated elements in northern England. To-day we are able to view this change in longer perspective, to see society achieving a large measure of readjustment in new forms of worship which permitted of a less numerous, if more select, clergy. But during these Marian years, conservative provincials might well be pardoned the sense that they were getting the worst of both worlds.

### I.

(*Public Record Office. S.P. 15, 7, no. 8, p. 19*).

To the Queene's most excellent Maiestie.

Most lamentable shewethe and pitiously compleynethe unto your highnes and most nobell grace, your subiecte and

<sup>1</sup> Pontefract, reputed to contain over 2,000 communicants (*Surtees Soc.*, xcii, 272) would need the extra priests during Lent to hear confessions and in holy week to administer the annual communion. The chantry surveys make this point clear in connection with the similar case of Doncaster (*Ibid.*, xci, 175).

<sup>2</sup> The clear value is £4. 5s. 10d. in the *Valor* (v, 72-3) and £6. 0s. 5½d. in the chantry surveys (*Surtees Soc.*, xcii, 277). This is said to have been totally confiscated (G. Lawton, *Collectio Rerum Ecclesiasticarum* p. 147). A pension or stipend of £6 per annum was being paid to the incumbent Roger Frickley in 1553 (Browne Willis, *Mitred Abbies*, ii, 295), whether or not on the strength of continued parochial work I am unaware. I see, however, no specific provision for St. Giles amongst the Crown's provisions for assistant stipendiary priests in the West Riding.

daylye orator John Housemanne, borne within the dyosses of Yorke, that whereas your sayde poore orator had occupied, peaceabell possessed and enioyed the office of a deacon within the church of York by the space of seaven yeares and more, and youre poore orator receaved yearly for doinge service in the sayde office the sum of fyve powndes with meate and drynke daylye of the recedensaries of the sayd church, so yt ys, moste drede soveraygne ladye, that in Lente three yeares paste and more, Roberte, nowe archebysshoppe of Yorke, of his extorte myghte and power, pretenced and malycious mynde, without anye juste cause, tytell or right so to do, dyd not onelye wrongfullye expulse your sayde poore orator from his sayde poore lyvinge, approvinge no facte againste your orator wherfore he shoulde so do.

But whereas, moste drede soveraygne ladye, your pore orator had proceaded in holye orders unto prystehood within the archebisshope dyossis and abelyd bothe for his learnynge and otherwyse, as by his testimonyals subscrybed by dyvers of the counsell establysshed in the northe partes more playnelye maye appeare; and when your poore orator shoulde have bynne admytted and was presented abell to have receyved the holye order of prystehood, the sayde archebysshoppe of his former pretenced and malycious mynde wolde neyther admytte your orator to the same holye order of prystehood nor yet gyve your orator his lettres dymyssaryes,<sup>1</sup> wherebye he myghte have bynne admytted to the sayde holye orders of anye other bysshoppe, dyd saye unto your poore orator that he was one of them in the Mynster that sayde that yt were better for prystes not to marye then for to marye. And for that cause the archebysshoppe sayde your poore orator neyther shoulde have his office nor yet be preeste so long as he was archebysshoppe of Yorke, because he was so sore againste the maredge of preestes; by meanes whereof your poore orator hathe not onelye lost his office and the yearlye revenues and prosetes of the same, but hathe bynne constrayned to syke another habytacion, which hathe bynne to your sayd orator greate impoverysshinge, beinge a poore yonge manne and havinge no frendes to healepe hym and ys nowe without remedye at the archebysshoppe's handes, unless your grace's favoure for Gode's sake be unto your poore orator in this behalfe shewed.

In tender consideracion wherof, the premysses most tenderlye consydered, yt maye please your highnes of youre abundante grace and goodness to see redresse as shall stande with your majestie's plesur[e], that your poore orator maye have of the sayde archebysshoppe sum recompence, not onelye for the losse of his lyvinge, but for the yearlye revenues and procetes thereof and for other wronges which the sayd archebysshoppe hathe caused your poore orator to susteyne. And your poore orator shall daylye praye unto Allmyghtie God for the moste nobell, prosperous and ryall estate of your maiestie longe in honower to endure.

<sup>1</sup> For an example of letters dimissory cf. E. Gibson, *Codex Juris Ecclesiastici* (1761), p. 1340.



(*Endorsed*)

John Howseman versus Archiepiscopum Eboracensem.  
John Houseman desireth to have recompence of the archebisshope of York not only in the consideracon that he hath caused him to loose his lyving of deacon, but also woll not suffer hym to be prest for holdinge agenest the mariage of prestes.

## II.

(*Public Record Office, S.P. 15, 7, no. 51, p. 112*).

To the ryght honerable and most reverent Father in God, the Lord Cardynall Poulle, to his good grace.

May yt please your honerable grace of your greate mercy, pety and abundant charyte, evyn accordyng to your accustomyd clemency, to reduce in to your devote memory my olde, long and contenuall sute to your noble grace tucchyng the reedyfying of the churche belongyng to the colege and osspytal fundid in the honer of the moste blyssyd trynetys in Pomfret withe in the countey of Yorke.

My Lord, what can I say there in that hathe not byn revelyd in former symplecyons (*sic*) to your grace exebyted, tucchyng the same sute, not as my only prevat sute, but by the sute of the mayor and all the hole in abbetance of the same towne, not onely exebytyd to your grace but also unto the Kyng and the hyghest, under there comman seale, over and besyd the supplecacyons of the poore bede peopyll of the same osspetall etc.? My Lord, as I have sayd before, we had in that towne one abbay,<sup>1</sup> too collegys,<sup>2</sup> a house of freers prechers,<sup>3</sup> one ancrys, one ermyt,<sup>4</sup> four chantere prestes,<sup>5</sup> one gyld pryst.<sup>6</sup> Of all thes the in abbytance of the towne of Pomfret ar nether releveyd bodely nor gostly. We

<sup>1</sup> The Cluniac Priory of St. John, surrendered 23 November 1539 (*Vict. Co. Hist., Yorks.*, iii, 184-6).

<sup>2</sup> St. Nicholas' Hospital, not mentioned here by name, was sometimes called a 'college': Hamerton may alternatively mean St. Clement's collegiate chapel, which, though in the castle, had parochial functions (Boothroyd, *op. cit.*, pp. 359-63; *Surtees Soc.*, xcii, 323-5; *Vict. Co. Hist., Yorks.*, iii, 366-7).

<sup>3</sup> The Blackfriars Priory, surrendered 26 November 1538 (*Ibid.*, iii, 271-3).

<sup>4</sup> On the curious hermitage in Southgate and some of its occupants cf. R. Holmes, *Sketches of Pontefract Topography* (1873), pp. 71 *seqq.* It appears to have been in active use c. 1368-1539. I know nothing of an ancess in Pontefract.

<sup>5</sup> Of the four 'chantries' listed by the surveys as in All Saints' (*Surtees Soc.*, xcii, 272-6) Hamerton counts one as the endowment of a gild priest (cf. subsequent note). He apparently counts as his fourth that in St. Giles.

<sup>6</sup> Almost certainly a reference to the priest of the so-called Corpus Christi chantry in All Saints', who was nominated by the corporation and had as one of his duties 'to survey the amendinge of the high wayes about the said towne.' (*Surtees Soc.*, xcii, 273). The gild of Corpus Christi, which had maintained the grammar school, seems to have survived until the Edwardian dissolutions (*Y.A.S., Rec. Ser.*, xxxiii, 33; *Valor Eccles.*, v. 66).

have there lefte an unlernyd vecar,<sup>1</sup> which hyryth too prestes;<sup>2</sup> for in dede he ys not able to dyscharge the cure other wayys, and I dar say the vecare's levyng ys under forte markys. The personage hath the pensshonares and suerly too partis of the prophety hath the procters,<sup>3</sup> but this ys a generall infyrmyty and Lord amend yt. Truly, ther be sume hed procteres and petty procteres, etc., and every one catchyth apace, but the pore nedy members of Chryst catchyt none at all.

But my sute to your noble grace at this present ys, most umble to desyer your grace that yow wyll have compassion of the great mesery that this sayd towne of Pomfret ys fallyn into, bothe bodely and gostely, sence the godly fundacyons afore sayd hath bene so amysse orderyd, and mysse usyd, and the hole<sup>4</sup> sanctures of God so petefully defilyd and spoulyd. Thes prymysys tenderly consederyd, yf it wold please your noble grace so to prefarre the contenuall sute afore sayd, to the adwansement of Gode's glory and to the comforth of his poore members both bodely and gostly, so that I youre poore supplecant and many other shall have cause contenually to pray accordyng to our abundant dewtes for the prosperus estate of our soverant Lord and Lade the Kyng and the Quene's hyghnes, with your honerable grace long to endure. By your supplecant and contynuall orator unworthee,

John Hamerton.

(*Endorsed*)

Beata benedicta et gloriosa sancta trinitas. The humble and petyfull supplication of John Hamerton to your noble grace.

Ponntfract in the county of Yorke.

<sup>1</sup> Boothroyd (p. 353, probably from Torre) gives John Barker as vicar 1538-1568. Fox is wrong in making the first date 1532, as Robert Wermerslay still occurs in the *Valor Eccles.* of 1535.

<sup>2</sup> William Chamber occurs as 'my curate' in the will of John Wakefield, Mayor of Pontefract, dated 1543 and, with the same description, in that of Margery Conyers of Pontefract, dated 1547 (*Test. Ebor.*, vi, 180, 256). Roger Frikley, cantarist in St. Giles in 1548 (*Surtees Soc.*, xcii, 276) may have continued to serve there on his stipend after the loss of the endowment. Cf. *Supra* p. 381, note 2.

<sup>3</sup> Tithe farmers or agents for the collection of tithes. Cf. the examples from Cowell and Moryson in *New Eng. Dict.*, s.v. 'proctor' (2c). For the names of lessees and the amounts of various tithes under Elizabeth, cf. Boothroyd, *op. cit.*, pp. 349-50; Fox, *op. cit.*, pp. 271-2.

<sup>4</sup> Holy.



## A brief account of the Drainage of the Levells of Hatfield Chase and parts adjacent in the Countys of York, Lincoln and Nottingham.

*Copy of a document (author G. Stovin, 1752) submitted  
by A. de M. Chesterman, F.R.I.C.S., F.L.A.S.,  
Agent to Trustees of late Lord St. Oswald.*

Hatfield in ye West Riding of Yorkshire is pleasantly situated on a sandy gravelly soil about five miles north East from Doncaster, at which place the Kings of England had a Royal Palace, the remains thereof are still in being. They also had an extensive chace of Red Deer which was much enlarged by King Henry the Eight, who at the dissolution of the Abbeyes &c. added the Mannor of Crowle in the Isle of Axholme and County of Lincoln and the Mannor of Armthorpe in Yorkshire to this chace. Crowle was part of the possessions of the Abbey of Selby, and Armthorpe was part of the possessions of the Priory of Wrooth, at ye place Queen Philipa Consort to King Edward 3rd was brought to bed of a Prince from thence called William de Hatfield. This Mannor was part of the Dukedome of York &c. King Charles 1st being Lord of Hatfield, Epworth, Mysterton and 14 other Contiguous Mannors (in ye Countys aforesaid) the demeans whereof consisted of a levell of above 70,000 Acres of overlowed waste, whereupon he and his progenitors had a chace of red deer as above mentioned.

For the ease of his Tenants (from the destruction made by the Deer in the adjacent inclosures and corn fields) and for the good of all his Subjects he contracted with Sir Cornelious Vermuyden a Dutchman, and his participants, in the 2nd year of his Reign, to dischace and drain the same. Reserving to himself one-third part of the said level as Lord of the Soil, allowing the Drainers one other third part for their charges, and of meer Grace granting the Remainder to the Respective Tenants for their Common.

Vermuyden was to agree with the Commoners concerning their several allotments, and by several commissions directed to several Noblemen, the Allotments were settled, and soon after confirmed by Decrees in the Court of Exchequer.

But the Tenants of the Mannor of Epworth claiming under an old Deed of Sir John de Mowbray once Lord of the whole Island of Axholm dated the 31st of May 1359 gave great obstruction to ye laudable and great undertaking.

Roger de Mowbray forfeited ye Estate by Rebellion against King Edward holding out against him for a long time in his Castle of Kinnard in ye Rapin Island near ye Banks of the Trent.

The said level was dischased and drained at ye expense of above 3 hundred thousand pounds and the King in ye 4th Year of his Reign sold his Mannor of Hatfield to Sir Cornelius Vermuyden under ye old rent of £195. 3s. 4d., and a Red Rose, And an Increased Rent of £425 per annum, to be paid to the Crown for ever. Also part of the Mannor of Brampton with its premises in Wrooth under the old rent of £0. 6s. 0d., and a pair of Gloves or 4 pence and an Increased Rent of £60 per annum.

His Majesty also sold his 3rd part of the Demised Lands to John Gibbon and Jn. Corselis Esqurs. under the Free Farm Rent of One Thousand Two Hundred Twenty eight pounds seventeen Shillings per Annum payable to the Crown.

But soon after this the King granted all the above-mentioned Rents to Kathrine Dutches Dowager of Buckingham, and Geo. Earl of Rutland in trust for George Duke of Buckingham Son of the said Dutches and the late Duke of Buckingham stab'd by Felton at Portsmouth. The people of ye Mannor of Epworth claimed Right of Common upon 13,400 acres of these Wastes, and at ye division of the Lands between the Drainers and ye Commoners they had 6,000 Acres allotted to them. But some of them not being content therewith In ye 12th year of the said King, their Differences was by Consent of the participants and Commoners referred to Sir Jn. Banks ye then Attorney General, who allotted the Commoners 1,000 Acres more out of the Kings part sold to Gibbon, & Corselis (which at ye first Allotment was 7,400 Acres part of ye 13,400 Acres) also Epworth South Moor and Butterwick Moor.

And considering yt ye poor of Epworth Owston, and Belton Parishes within ye said Mannor of Epworth wou'd be sufferers by their loss of Fishing and Fowling he Awarded yt ye participants shou'd pay £400 for a Stock to employ these poor people in ye making of Sack Cloth &c.

*N.B.*—This Manufacture of making Sack Cloth is still carryed on in ye Island and employes great numbers of people, they having ready sale for ye same.

These lands were at the first quietly enjoyed and great Numbers of Dutch and French Protestants being planted there, a Church and Ministers House were erected for ym. at Santoft in ye Parish of Belton for their Congregation, and a Salary of Eighty pounds per anuum was settled on their Minister who preach'd to them on each Lords day in both Languages.

But ye people of Epworth Mannor and Mysterton did at ye breaking out of the Civil Warrs take up arms against his Majesty, and with ye assistance of some of ye parliament Soldiers they laid waste the Inclos'd Lands within these Mannors, burnt and destroy'd Houses and Corn thereon to ye Value of £20,000 and defaced the Church and Ten Commandm<sup>s</sup> Burried Carrion under ye Com-



munion Table, carryed away ye Leads and Seats, pull'd up the Staires and Navigable Sasses and would have thrown this Famous Levell into its former chaos, had they not been suppress'd, (for which they were even in those days Excepted from pardon).

No Orders no Decrees of the Commissioners of Sewers, could now be put in Execution, No Officer of ye Court durst execute them for fear of their Lives from ye Islanders And several of the Commissioners refused to Act any more for fear of Insults Upon which Sir Arthur Ingram and other great participants prevaild upon Nathaniel Reading Esqr. to undertake ye subduing of those Monsters, and they agreed to give Mr. Reading a Sallary of £200 per annum to indemnify him, to reimburse him all his charges and to reward him further. And in the Month of September 1655 he Entered upon this Hazardous Undertaking. He attained Several Writtes of Assistance and Orders of the House of Lords and Deputations from ye Sheriffs of ye three Countys provided Horses and Arms and necessarys with 20 Hired Men at £20 per annum each and their Diets with a Chirurgeon in Ordinary, And upon particular occasion he hired many more. And after 31 set battles wherein Several of his Men were kill'd and many others wounded, he subdued those people quieted the Crown and the participants in their Allotments, Repaired ye Church, Settled another Minister, Restored ye Congregation, and made ye Levels and parts adjacent quiet safe and flourishing.

The Islonians continued quiet for some years laid by their Riotous Weapons, and only battled the participants at Law, till ye year 1690, They still claiming more Common, and threatening to lay all waste as before they had done. The Affair by Consent was referred to Sir Thos. Hussey, Sir Willoughby Hickman, Sir Jn. Boynton, and Coll<sup>r</sup> Geo. Whitcheof who met at Bawtry and made an Award, But the ever restless Islonians wou'd not submit to this. In 1691 The Cause came to hearing in the Exchequer and ye Court recommended it to the parties to endeavour an accomodation among themselves, and ye 5th of May 1691 the participants agents Jn. Pindar Sollicitor for ye Commoners and Rob<sup>t</sup> Popplewell their Agent for themselves and ye said Commoners came to an Agreement in Writing (viz) That ye Commoners of Epworth Mannor shou'd have 1,000 Acres to be set out in ye first place, And that 664 Acres shou'd be set out for ye Commoners of Mysterton, and that 5,736 Acres Residue of ye 7,400 Acres at first allotted to ye participants shou'd be surveyed and divided into Two Equal parts, One moiety to be enjoyed by the participants, the other moiety to the Commoners and their Heirs ; And the Commoners were also to enjoy the 6,000 Acres at first allotted to them with Epworth South Moor and Butterwick Moor, free from any interruption of ye participants, And freed and discharged from all Drains, Bridges, or any part of ye Free Farm Rent above mentioned or Sewer Rates. All whereby Consent was decreed accordingly.

The Commoners had decreed to them out of ye whole 13,400 Acres, 9,060 acres with liberty of improving the same. And ye participants for ye Sake of Peace were content with only 2,060 Acres, for all their great costs and charges in draining the whole.

*N.B.*—The Isle people had Epworth South Moor and Butterwick Moor over and above the 9,060 Acres.

Now all the Differences seemed to be at an end, The Sherif of Lincolnshire by virtue of a Writt of Assistance gave ye several partys possession of their Allotments. And ye participants inclosed and let their lands to tenants who plowed and sowed the same.

But while ye Corn was growing, a great number of men women and children with Popplewells Wife at ye head of them, pulled down, demolished and burnt ye fences, destroyed ye Corn, and laid ye land open to ye Common.

Mr. Reading at that time wanting above £3,000 that the participants were indebted to him, Solicited them for payment, thereof. But they alleged that their Experditor had no money in Bank, and that the Rioters had again laid waste their lands.

But if he wou'd accept of a Lease for Six Years of their land in Epworth Mannor in full Satisfaction for his Debt, they wou'd grant him that which would over and above pay him ; And that they knew of no person that could defend their possessions in those lands so well as himself.

He accepted the Lease with great Reluctance persuing the consequences that wou'd attend it, But necessity forced him to accept thereof, and on he push'd. But was now to fight with a Hydra grown more formidable than ever.

He Inclos'd ye Lands again by making several miles of fences, and plowed and sowed with Rape and Corn above 1,000 Acres. When (a Consultation being had amongst ye Rioters) they assaulted Mr. Reading, his Sons and Servants night and day, and often shot at them most desperately they kill'd and destroyed his Cattle, fired his House at midnight with a design to burn him, his Wife and Family in their beds. And afterwards great numbers of them disguised and armed destroyed all his Out Houses and Tennant's Houses, chopped down hundreds of fruit and other trees, plundered a New House he was forced to build to lie in, carried away his goods, burnt his fences, turn'd their cattle into his Corn, and gave him ye Diversion in all points of Military Execution. He complained of these insults above and obtained pardon for ye discoveries of the Villains and had several of them in prison, and many of them being outlawed they outbrav'd the Laws ; and detatched some of their principals to go up with a public purse and defy the parliament itself.



Rob<sup>t</sup> Popplewell being their Sollicitor (tho' no man of the Law) since the death of Pindar, they Inclos'd several Hundred of acres of land belonging to the Crown and the participants, The rents whereof were paid to ye sd. Popplewell and with which money they defied ye Government.

Several of ye Rioters being indicted at Lincoln Assizes, and Bills of Indictment being found against them Popplewell applye'd to Coll<sup>r</sup> Whichcot and Coll<sup>r</sup> Pownall to intercede with Mr. Reading to be favourable. Mr. Reading (being then in low circumstances) thought a little ready cash wou'd be more serviceable, than to have these Villains punished by law, was willing to refer the Affair to Mr. Whichcot and Mr. Pownall, who awarded that Popplewell shou'd pay to Mr. Reading 600£ to save his Wifes Bacon, and that of his Friends the Rioters which he paid accordingly.

*N.B.*—Mr. Reading died at Belton about the year 1712 (in extream old Age and want supposed to be above 100 years old) in ye midst of his Inveterate Enemys, He was a fine Orator and a fine Gentleman.

After his Death his Sons Thos. Reading and Coll<sup>r</sup> Robt. Reading leased these Isle Lands of ye participants at 420£ per annum and were at very great expense in inclosing and keeping up the same. And about the year 1713 the Islanders beginning to stir again (upon ye death of old Mr. Reading) they had part of Clayton's Regim<sup>t</sup> of Foot (of which Mr. Robt. Reading was Lt. Col.) encamped upon Ross to defend their inclosures But ye Act against Riots passing in ye 1st Year of King Geor. 1st. put a full stop to their carreer. And in ye Year 1719 The Commoners Bill against ye participants was dismissed with Costs ; So that ye Levells have flourished ever since ; and by ye activity of the Commissioners of ye Sewers the care of ye participants, the dilligence of ye Officers and Industry of the Farmers is prodigiously improv'd. The Islonians were in Law and Contention about their Commons from ye year 1626 to ye year 1719 almost a whole century,—to ye ruin of many oppulent and ancient Familys in that Island out of whom ye two worthy sollicitors Pindar and Popplewell (from nothing) squeesed great Estates ; and ye Honest Gentlemen of ye Law reaped a long and plentiful Harvest.

*N.B.*—Coll<sup>r</sup> Robt. Reading was Son of Nath<sup>l</sup> Reading Esqr. by Anabella Churchill own Aunt to that British Hero In<sup>v</sup> Duke of Malbrough The Coll<sup>r</sup> behaved well in his Military Capacity at ye Head of Clayton's Reg<sup>t</sup> of Foot at ye Battle of Dumblain in Scotland in ye year 1715 against ye Pretender and his Forces and ye Year after he commanded in Chief at ye little Battle of Glensiel where he got ye victory and took 500 Spaniards prisoners.

The names of the first Participants—

Sir Cornelious Vermuyden  
Andrew Boccard  
Sir Mattw. Vanvolkenbourgh

Abraham Vernatti  
Sir James Cambell  
Sir Jn. Ogle

Lucious Vanvolkenborough  
 Cornelius Vanbueren  
 Samll. Vawpeener  
 Marcus Vanvolkenborough  
 Jn. Vanbaerle  
 Wm. Vanweely  
 Philip Jacobson  
 Isaac Vanpeener  
 Pictet Vanpeener  
 Pictet Cryspenick  
 Widow of Edwd. Bushope  
 Marceillus Vandareen  
 Dirique Semey  
 Leonard Catts  
 Fabrian Ullict  
 Riolf Franken  
 Sebastian Franken  
 Widow of Michl. Croystyn  
 Sir Phillibert Vernatti

Abraham Dolens  
 Dionisius Vandace  
 Charles de Bruxelles  
 Woulter de Gelder  
 Jn. Vandimer  
 Sir James Catts  
 Abraham Strys  
 Jacob Strys  
 Reynier Curnelison  
 The Professor Goce  
 Jacob Droogbroot

These Gentlemen had	24505 Acres
The Kings part	24505 „
The Several Commoners	24505 „
Total	<u>73515</u> „

The Names of the Dutch and French Protestants  
 planted in this Levell with their present Names :—

<i>Names</i>	<i>Present Names</i>	<i>Names</i>	<i>Present Names</i>
Dublieque		Vanplue	
Turgoin		Tuyssen	
Blancart		Beharch	
Bonvel		Stirpin	
Siaufair		Vandebee	
Longue	Long	Leflour	Kowen
Delahay	Hay	Descamps	
Egard	Egar	Librand	
Caidoy		Dublertlet	Bartlet
Lihoug	Hook	Le Roy	
Pinsoy		Le Grand	
Lespier		Le Grain	
Leliew	Lew	Dumoulin	
Dilanoy	Linoy	Morvillion	Morrillion
Acfair		Rebau	Rebow
Pinstoy		Duverlier	
Delespaer		Senoir	
Henegrave		Chauval	Savat
Beamarch		Le Coup	
Derique	Derrick	Le Talle	Tall
Renault		Lenards	Lenard
Renard		Dubois	Boys
Frank		De la Priam	Prime



<i>Names</i>	<i>Present Names</i>	<i>Names</i>	<i>Present Names</i>
Smaque	Smack	Flahon	
Cony	Koy	Vienin Venin	Veny
Hernu	Harnew	Clebaux	Box
Hahear		Le Roux	
Blancar	Anker	Delagay	Ligay
Coquelar	Corkler	Le Hair	Hair
Baurudit		Dewitt	
Brungue	Brunion	Licuq	Cock
Rammery	Rammery	Amory	
Breche	Birket	Tuffin	Traffinder
Icmemime			

with several hundreds more

*N.B.*—The Church at Sandtoft built for those people was long since demolish'd and the Church Yard eaten as common by the Isle people. There were many of the first Comers buried here as I find by the Register of that Church which accidentally fell into my hands, an amongst them the Wife of their first Minister.

Le 26th May 1651. Dam. Katherine Lecoq de la Femme de Monsr. Berchet Ministre, Enterr a Santoft.

There was a great many hundred children baptised at ye church of those Protestants (Marriages &c) and the Minister set down the names of the Sponsors in this manner.

Le 25th Fevrie 1654. a Este Buplises a Santoft Jehan Fiby de Peire Egar et de Sarah Vandebbee. Sir Tesmoins Lont Jehan Egar Fiby de Jehan et Mary's Coug Femme de Jaques Dumoulin. Their wifes always retain'd their Maiden names after Marriage.

Ministers of this Church—

- 1st Monsr. Berchet
- 2nd Monsr. Deekeshuel
- 3rd Monsr. Delaprix
- 4th Monsr. Delaporte
- 5th Monsr. Levanely (last)

The Undertakers of this Drainage had inexpressible difficultys to struggle with both from ye waters and other Enemys. This Level had ye great River Humber to the East, the Ouse North, the Ayre North West, the Trent South East and ye Rivers Idle, Torn, Went and Dunn runing in and through it. It was a den of Waters before the Drainage, a Receptacle or rather Reservoir for all the Waters descending from the West and South west of Yorkshire Nottinghamshire and part of Derbyshire.

*N.B.*—Here is still 2 Moorasses of no use but for digging Turf in, the one 20 metres round the other 15, Where is Forrests of Oak and Firr under ground and several curiositys found at ye very bottom of the moor and Human Bodys &c. I took up a woman's wooden Sandalls on her feet, that had laid three hundreds of years.

G. STOVIN. March 20th 1752.

## AN EARLY UPLAND STEADING FROM LEA GREEN, GRASSINGTON.

By JAMES WALTON, B.Sc.

At the north end of Lea Green Pasture, above Grassington, in association with huts and balks which Dr. Raistrick ascribes to a period between the late Early Iron Age and the third century A.D., is a dwelling of particular interest. It consists of a roughly rectangular house measuring internally 42 feet by 18 feet, with an adjoining croft measuring 64 feet by 47 feet. The northern gable is clearly defined, the wall standing two feet above ground level. The southern end is rounded and the walls are represented only by mounds of stone and earth. Where the wall stands, at the corner E, it has a width of 3 feet 10 inches and it shows good, solid dry-stone masonry. It is noticeable, however, that whereas the outer angle is rounded the internal angle is a sharp right angle. The doorway, 3 feet wide, is placed in the north gable and is set to one side of the central axis.

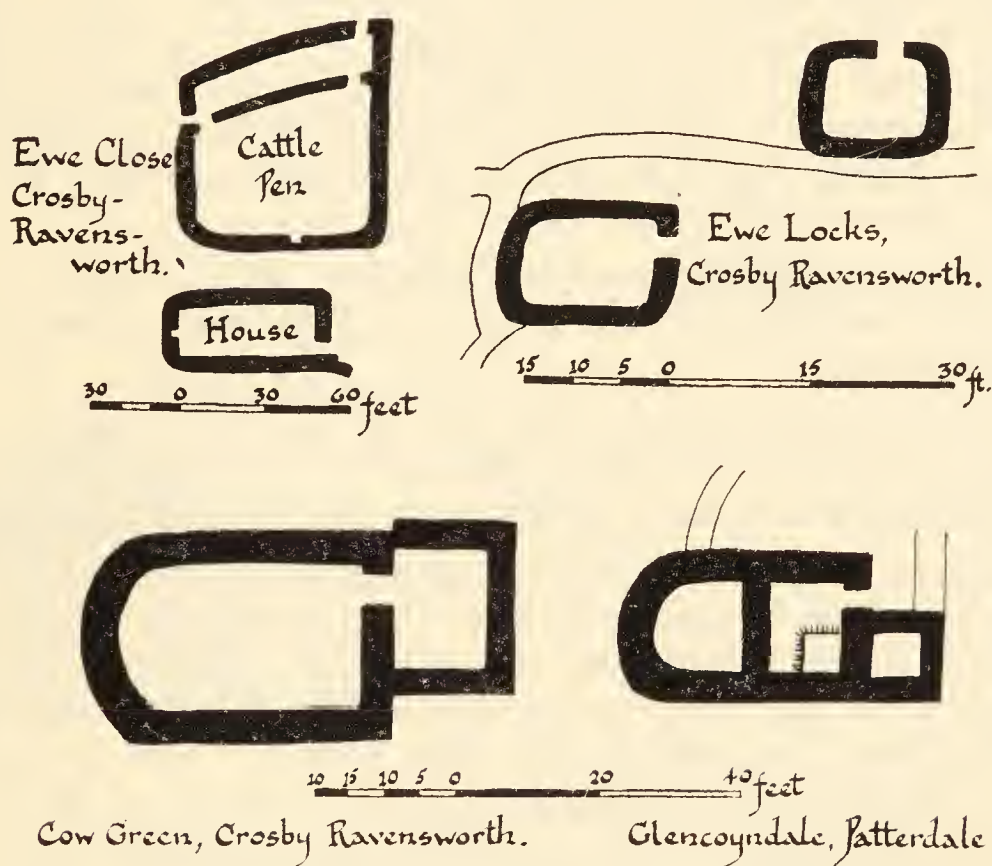
Inside, the foundations of a wall divide the building into two rooms, a smaller entrance room, A, which appears to have served as living quarters and a longer room, B, which probably housed the cattle. This use for the larger portion is suggested on account of a series of stone partitions, set at right angles to the east wall, which may have served as cattle stalls, or booises. The booises still to be found in the upland cowsheds around Hurst, in Swaledale, are comparable in size (Walton, James : *Homesteads of the Yorkshire Dales*, 1947, pp. 13-15). An alternative possibility is suggested by an Hebridean analogy. There, "in the early undivided houses . . . . . the younger members of the household simply lay on certain parts of the floor which were marked off by stones" (Kissling, Werner : "The Character and Purpose of the Hebridean Black House," in *J.R.A.I.*, Vol. LXXIII, 1943, pp. 75-100).

In the north-west corner is a pit, surrounded by a low stone wall, C, which served as a midden and is filled with the bones of sheep. A piece of iron scoria was recovered from this pit, indicating that the herdsmen who occupied this steading also worked in iron. Lady Aileen Fox has recorded evidences of iron working from an upland homestead on Gelligaer Common, Glamorgan, and on this evidence she deduces that "the homestead was intended for permanent settlement and was not a *hafod*, a structure erected for summer dairying only" (Fox, Aileen : "Early Welsh Homesteads on Gelligaer Common, Glamorgan," in *Archaeologia Cambriensis*, 1939, p. 172). Iorwerth Peate contends that this evidence "is not conclusive since the duties associated with pasturage were not



onerous and provided long hours of leisure which could be spent in, e.g., metal-working" (Peate, Iorwerth, C.: *The Welsh House*, 1944, p. 128 footnote). No evidence of a fireplace was obtained although this could not be expected without systematic excavation.

Before discussing the structure and purpose of the Lea Green dwelling it is advisable to consider some analagous steadings. Three such buildings have been described by R. G. Collingwood from Crosby Ravensworth, Westmorland ("Prehistoric Settlements near Crosby Ravensworth," in *Trans. Cumb. & West. Ant. and Arch. Soc.*, Vol. XXXIII, New Series, 1933, pp. 201-226), whilst R. E. M. Wheeler has since added one more Westmorland example from Patterdale (*An Inventory of the Historical Monuments in Westmorland*, 1936, p. xlvii). The Crosby Ravensworth homesteads, like the one from Lea Green, are all associated with Celtic settlements from which material has been robbed for their building. The steading at Ewe Close consists of a rectangular



Some Analagous Westmorland Steadings  
(after Collingwood and Wheeler)

building and two enclosures which are of "apparently later and more advanced construction than the round huts of the western enclosure and any problems of roofing extended spaces may have been met by a system of posts and beams, with thatch over all. The house building is in shape and size quite comparable to early Teutonic houses of well-known types (cf. Gerda Boëthius, *Hallar, Tempel och Stavkyrkor*, 1931, especially figs. 8-13). The other is a paved cattle-pen or farmyard with a roofed byre or shed at its north side belonging to the same establishment" (Collingwood, R. G.: op. cit., p. 207).

The Ewe Locks dwellings are approximately 20 feet by 15 feet internally and the walls are made of boulders in a double line stood on edge, with no packing in between them. "One would surmise that such walls were perhaps never meant to stand more than one course high, and that above this the slope of the roof would begin, making a tent-like house 10 feet high in the middle and 2 or 3 at the sides. Their roughly rectangular shape differentiates them from the circular huts of the settlement, and so does the appearance of their remains, which are not overgrown with turf. Moreover the main walls of the settlement, immediately in their neighbourhood, have been robbed to build them" (op. cit., p. 209).

The Cow Green house consists of a single room, 30 feet by 16 feet, internally, with a porch or entrance room, perhaps a secondary addition, 13 feet square. The walls, 4 feet thick, are solidly built of limestone slabs set on edge and used as facing stones. "The rectangular shape, cut-off corners and door in one end connect this with early Scandinavian and Teutonic houses. The construction of the walls suggests that, like them, it had low walls supporting a high roof (for examples and details cf. Gerda Boëthius). There is no trace of a fireplace but apart from this antique feature there is no evidence of date and it is therefore ascribed to a non-committal term—mediaeval" (op. cit., p. 211).

The Lea Green homestead, together with those at Crosby Ravensworth and Patterdale form a well-defined group characterized by having :—

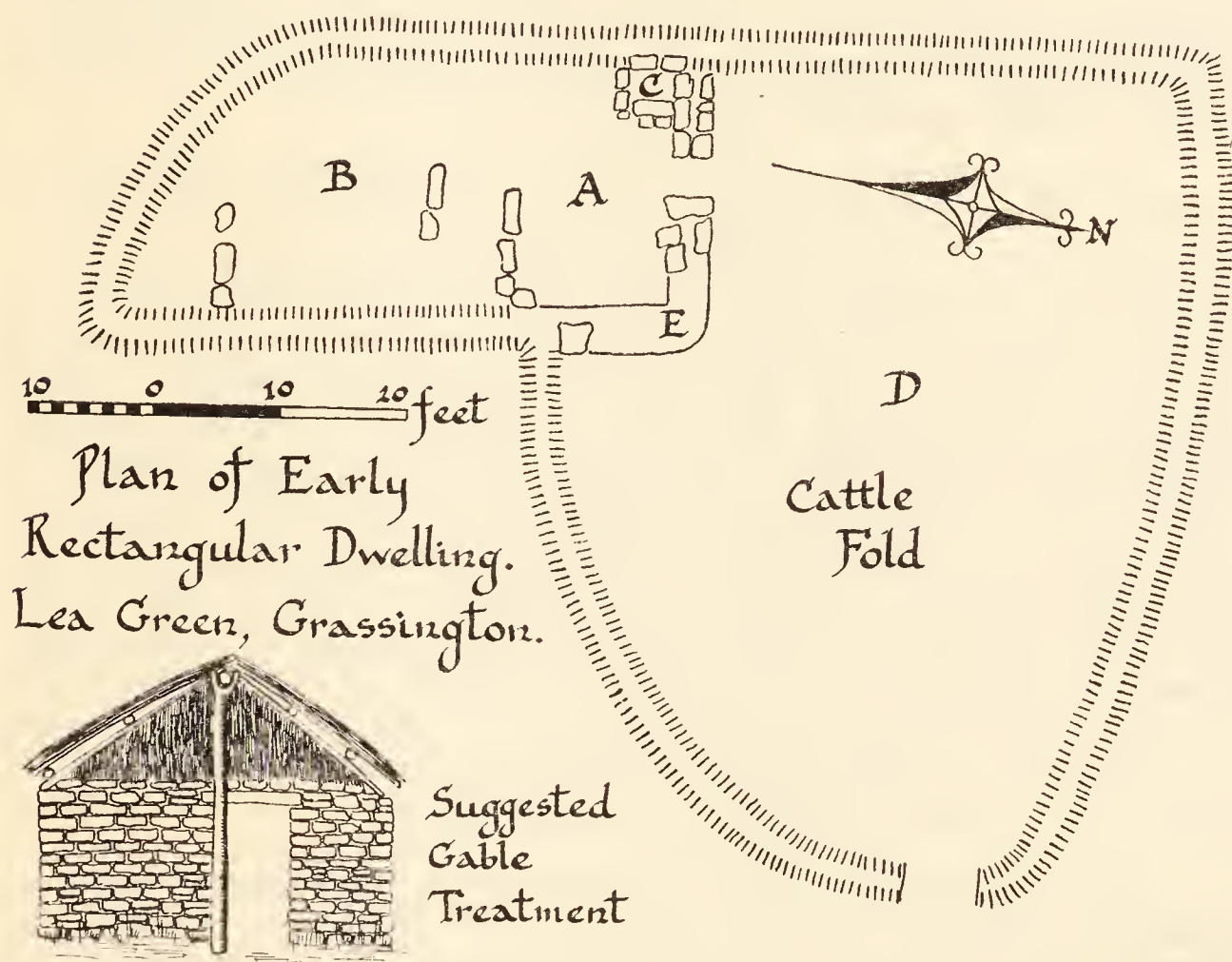
- (a) the doorway in one gable, placed to one side of the centre,
- (b) the opposite end in the form of a rounded 'apse,' and
- (c) rounded external corners with right-angled interiors.

Apart from their upland situation and possible similarity in age they have nothing in common with the early Welsh homesteads described by Lady Aileen Fox (op. cit., pp. 163-199). These are long-houses with the door in the middle of one side and a central passage dividing the building into two rooms. Two houses from Troutbeck, Westmorland (Wheeler, R. E. M.: op. cit., p. xlvii), a house from Tintagel, Cornwall, attributed provisionally to the fifth century (Radford, C. A. R.; in *Antiq. Journ.*, XV, 1935, p. 405, fig. 1, room 9), and a building on Trewortha Marsh, near Tresillian, Cornwall, with Roman or sub-Roman sherds (Baring-Gould, S.: in *Journ. Roy. Inst. Cornwall*, XI, 1891-3, 57ff.) belong to the same group.

The five homesteads conforming to the Lea Green type are all upland dwellings apparently connected with the summer pasturing which still prevails in many parts of the Yorkshire Dales (Walton, James : op. cit., pp. 11-12) and in Wales, where "almost the whole household of some of the valley farms moves into a distant *lluest*, a moorland house often several miles away, for the sheep-washing and -shearing duties which extend over several weeks" (Peate, Iorwerth, C.: op. cit., p. 126).



As regards the structure of these steadings, their form is clearly defined and the rounded corners are a notable feature. The builders would almost certainly be the herdsmen themselves and either they considered such corners a better protection against the weather or they found difficulty in constructing a right-angled corner. Possibly they were accustomed to building round huts and the rectangular dwelling was a new venture for Hartley and Elliot depict a circular stone hut with heather thatch still being used by shepherds in the limestone district of Yorkshire in the fifteenth century (Hartley, D. and Elliot, M. M.: *Life and Work of the People of England in the Fifteenth Century*, 1925, p. 71, Plate 20e.).



The position of the doorway is also of interest. It is sited in one gable but always to one side of the centre which suggests that structurally a doorway in the centre of the gable end was impracticable. The only feature which would have this effect would be the employment of upright posts at each end of the building to support the ridge-tree. These would occupy the centre of each gable and would necessitate the doorway being moved to one side. A field-shed from Newtondale, photographed by Mr. Hope Bagenal and reproduced by Ralph Tubbs in *The Englishman Builds*, ably illustrates the structure postulated. There the gable wall is built of stone up to eave level whilst the actual gable is filled with straw. The gable wall does not, therefore, extend up to the ridge and the ridge-tree is carried by two upright posts with forks at the top, placed centrally just outside the gable wall, one at each end. From the siting of the doorway it seems highly

probable that a similar method was used in the Lea Green—Crosby Ravensworth group of buildings.

The rounded 'apse'-like form of the opposite end appears to have few parallels either in old or modern folk-building. Halvor Vreim has photographed a group of upland farm buildings from Sunnmøre, Norway, with gable entrances and semi-circular projections at the opposite end, the purpose of which is to protect the buildings against snowdrifts (Vreim, Halvor; "Houses With Gables Looking On The Valley," in *Folkliv*, 1938, Plate 46).

On the nature of the roofing we can only surmise but it is probable that heather or turf was employed after the manner still to be seen in the barns at Barden and Drebley, in Wharfedale, where the thatch is carried on a series of closely-spaced rafters of split fir (Walton, James : op. cit., pp. 51-2).

The age of these homesteads is still doubtful. Collingwood points out that at some period certain of the Westmorland settlements became "mediaeval farms." Whether this took place before the Viking Age colonisation, representing a gradual penetration of the old "Welsh" by Anglian influences, or whether it happened later as a result of the Viking Age settlement or whether, after centuries of lying waste, the Celtic sites were re-occupied by new people because there were ready-made fields and building stone to be had there, Collingwood concludes that there is no means of deciding (op. cit.: pp. 223-6). He likens them to early Teutonic and Scandinavian dwellings but Wheeler contends that "the elementary character of the plan robs this or other comparisons of any determining value, and, beyond the likelihood that the buildings are those of a small 'hafod' or 'shieling bothy' or upland cot occupied by cattle tenders during the summer months, conjecture is at present unlikely to be profitable."

We may conclude that the Lea Green building represents a temporary upland dwelling used by the herdsmen during the summer pasturing and it belongs to a type so far confined to Westmorland and West Yorkshire. Such buildings are peculiar in having an asymmetrical doorway in one gable and a rounded apse-like form at the opposite end with an internal division into two rooms. It is tempting to associate them with the Scandinavian 'skali,' or shepherd's hut, for this place-name, in the form 'scale' is still found in the same area in such names as 'Summerscales.' I am greatly indebted to Mr. L. R. A. Grove for his search of the literature relating to 'skali' with a view to establishing a possible connection but so far no figured examples have been found conforming to the Lea Green pattern. Such evidence as is available is not sufficient to link the Lea Green—Crosby Ravensworth dwellings with Scandinavian summer steadings but it does indicate a possible relationship.



## NOTES ON A TITHE MAP OF BOROUGHBRIDGE.

(Drawn in 1846)

Contributed by ROBERT KETTLEWELL.

Amongst the Church's records is a Tithe Map of Boroughbridge drawn by John Parlour, Surveyor, of Burton Leonard, in 1846, five years before the demolition of the ancient Parochial Chapel of S. James. Part of this map is reproduced here with a few accompanying notes.

### I. THE BRIDGE.

Boroughbridge has largely depended upon the traffic of the River Ure and the Bridge which carried the North Road over it. The place is not mentioned in Domesday Book, and it seems that the choice of this site for a bridge came with the revival following the complete devastation carried out by William I in 1069. This new Bridge must soon have given rise to the beginnings of a town at its south end, a place known as Pons Burgi or Pons de Burgo, (Ald)borough Bridge, but the Latin form did not survive. The Abbot and Convent of S. Mary the Virgin at Fountains early had privilege here. A Precept of about the month of May 1155 (W. Farrer, *Early Yorkshire Charters*, 1/72) ordered that the men, horses, and goods of the Cistercians of that house should be free of toll, passage, pontage " . . . et nominatim ad pontem de Burgo tam per aquam tam per terram." The date is interesting because a bridge is mentioned. It may not be wholly fanciful to think that "the Three Horseshoes" (No. 125), bearing the sign of the arms of Fountains, may preserve a recollection of this privilege. In 1181 the sum of 27li. 5s. was spent on carrying lead from Boroughbridge to York, thence to Rouen, a gift for the Church at Clairvaux, the second house after Citeaux of the Cistercian Order. After the dismantling of Fountains Abbey its own lead was being conveyed from Fountains to Boroughbridge, and thence to York, in 1544. These facts are recorded in C. T. Clay, *Early Yorkshire Charters*, 4/112 and J. R. Walbran, *Surtees Society*, 42/402. At some time the Bridge had been rebuilt in stone and Leland noted of Boroughbridge sometime between 1535 and 1543 " . . . There I passid over a great bridge of stone on Ure." In 1631 the Bridge was in great ruin and upwards of £800 was spent on it in the next hundred years (E. Jervoise, *Ancient Bridges*, page 82). Towards the end of the eighteenth century this old Bridge was widened on the west side.

## II. THE CHAPEL.

(a) THE FOUNDATION. Whilst the position of the ancient Bridge is well known, no one now lives who ever saw the ancient Chapel standing on the original site within the town. It is of special interest that the Tithe Map of 1846 shows this position exactly, perhaps the only map now to do so. As the Bridge was situated at the extreme north end of the town, so the Chapel was built on higher ground at the extreme south end of it. S. James Square, which was formed about the Chapel, enclosed the road to Aldborough on the south side. The Chapel is now demolished, but certain remains, showing feature, were carried to the new Church on another site and built into the north Vestry wall, where, wrote Turner a year later, in 1853, "... they will long form

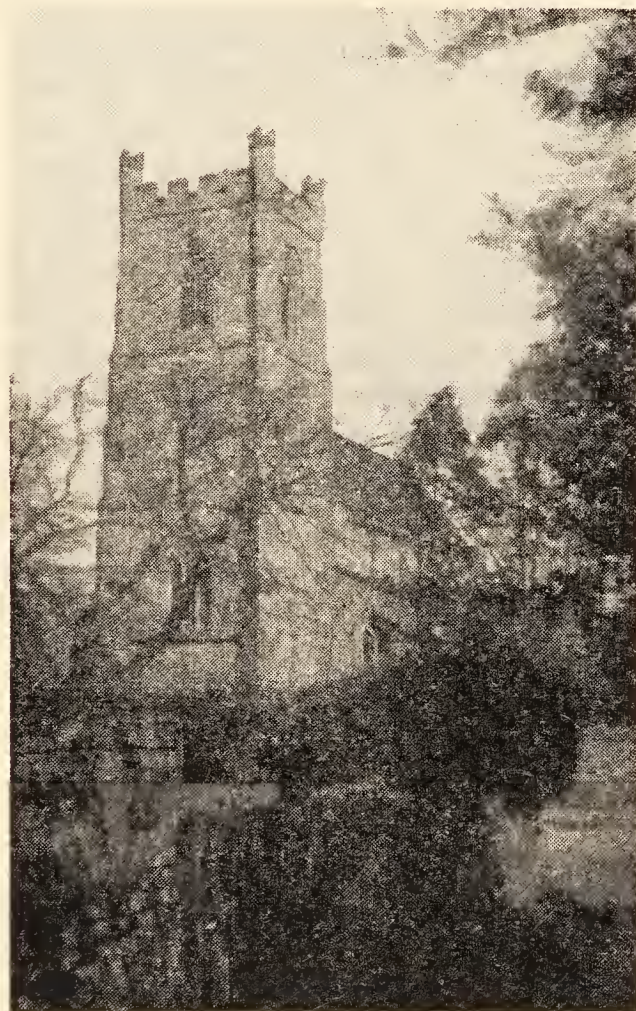


OLD S. JAMES, BOROUGHBIDGE (See *Y.A.J.*, 33/202).

an interesting study for the curious." Two voussoirs showing cats' heads and seven showing beak heads form the head of a semi-circular arch, Norman work of the middle or later years of the twelfth century. Carved stones, probably contemporary, and some crudely executed, have been re-set at random to form jambs. There is also a Calvary, and a group likely to represent the Beheading of S. James with the sword. As Wetherby Chapel, twelve miles to the south, and on the London Road, was to Spoforth, so Boroughbridge was a Parochial Chapelry in the Parish of Aldborough, and, as was the case at Wetherby, so Boroughbridge Chapel was ascribed to S. James, the patron saint of pilgrims.



(b) EARLY IMPORTANCE. Evidence from the late thirteenth and early fourteenth centuries shows that this Chapel rather than the Mother Church of S. Andrew, Aldborough was commonly used for meetings in the Deanery of Boroughbridge, then larger than now. In 1280 Archbishop Wickwane himself held an Ordination in this Chapel. His Mandate to the Archdeacon of Richmond reads, “. . . Quia intendimus, Dei cooperante clemencia, ordines nostros apud Pontem Burgi, die Sabbati Quatuor Temporum proxima ante festum Sancti Michaelis, personaliter celebrare . . .” (W. Brown, Surtees Society, 114/49). Two Chantries were founded in this Chapel and endowed with lands, one at the altar of S. Agatha (Valor Ecclesiasticus) or Our Lady (Chantry Certificates), in which a Grammar School was taught; the other at the altar of



NEW S. JAMES, BOROUGHBRIDGE.

S. Saviour. Provision was made in the Will of William Babthorpe of 1442 for a priest “to sing before our Lady altar at Burghbrigge” (J. W. Clay, Surtees Society, 116/253). In 1538 Richard Stevenson of Knaresborough bequethed “. . . to the chapell of Bowrobrige, unto the lady lyght xiid . . . to the chapell of Wedderby, unto the lady lyght xiid . . .” (F. Collins, Surtees Society, 104/29). The Chaplain of this Chantry was nominated by the people of Boroughbridge “. . . To th’entente to say and celebrate masse and other dyvyne service in the same chapell, as well for ther owne ease as for the ease of strangers reparynge through the same, being one thoroughffare towne of the Kinges strete ledyng from



London to Karliel and Barwyke" (W. Page, Surtees Society, 92/264.

(c) LATER IMPORTANCE. After the Diocese of Chester had been established in 1541, and the Archdeaconry of Richmond had been made part of it, the Bishops of Chester laid special claim upon the Chapel of Boroughbridge, though the Mother Church of S. Andrew at Aldborough with the Chapels of Boroughbridge and Dunsforth had been within the jurisdiction of the Dean and Chapter of York from very early times (W. Farrer, *op. cit.*, 1/333, which refers to Aldborough). When Francis Wanley was Collated Vicar of Aldborough in the Chapter House at York in 1744 he ". . . humbly prayed that he might be Collated to the Vicarage of Aldborough and Licensed to serve the Cure of the Chappel of Borrowbridge both within the Jurisdiction of the said Dean and Chapter . . ." (*York Chapter Acts*, H/7/4/ fol. 187). Nevertheless the Curates serving Boroughbridge Chapel under the Vicars of Aldborough from 1727 to 1761 were Licensed at Chester, and the Bishops of Chester held their Visitations and Confirmations in Boroughbridge Chapel, as the Registers of Kirby Hill and Copgrove show. Unhappily the demolition of this Chapel set a fashion in the immediate neighbourhood, quickly followed at Dunsforth and Marton-cum-Grafton. T. S. Turner in his *History of Aldborough and Boroughbridge* has left on record that ". . . By far the best part of the structure was the tower, which was of magnesian limestone, and of good masonry. The last part of it was undermined and fell on the 4th of July, 1851." When the new Church was built the tower was intended to bear a spire (J. R. Lunn, *Notes on Churches*, 1867), but was altered at the wish of the parishioners to preserve the features of the old. This interesting old Chapel is a sad loss to the town.

### III. THE TOWN.

(a) THE STREETS. The principal street was formerly known as Micklegate, but now the High Street. It led up from the Market Place, between No. 10 and No. 11, to S. James Square, where the Chapel was situated and from which the road continued to Aldborough. In his Will of 1617 Ralph Russell named ". . . my house in Mycklegate in Burrowbriges" (F. Collins, Surtees Society, 110/42). Unfortunately the Market Cross which once stood in the Market Place was moved to the west approach to Aldborough in 1852. Before the last half of the seventeenth century Micklegate continued through the Market Place in a street known as Fishergate. This street passed through No. 11 to the confluence of the rivers Tutt and Ure at Fishergate Nab, still so named on the Ordnance Map. The present Fishergate, however, crosses the Tutt Beck to join the High Street to that portion of the North Road known as Horse Fair. "Formerly Fishergate ran from the Market Place to Fishergate Nab on the Ure, and there were six old burgage tenements abutting on it,





TITHE MAP OF BOROUGHBRIDGE, 1846.





besides some fishermen's cottages on the Tutt Beck. These have all been absorbed in Boroughbridge Hall and grounds" (Sir T. Lawson-Tancred, *Records*, page 186).

(b) THE BUILDINGS. The ground occupied by Nos. 126 to 133 covered the site of the mediaeval Manor House of Boroughbridge, the Gatehouse and gardens. Opposite, across the River Tut, Nos. 11 to 13 cover the area occupied, since about 1685, by the present Boroughbridge Hall and the grounds. The history of both sites is given in Sir T. Lawson-Tancred's *Records of a Yorkshire Manor*, pages 168 to 193. No. 126 was the business house of Thomas Stubbs (1761-1838), grandfather of William Stubbs, the historian and, latterly, Bishop of Oxford. The first Preacher's Book at Boroughbridge records William Stubbs, Bachelor of Arts, Deacon, Fellow of Trinity College, Oxford, as preaching in the old Chapel in 1849, and again in 1850. No. 132 is "the Crown." This Inn occupies the Gatehouse site of the former Manor House. It became famous as a Posting House on the North Road in the time of Hugh Stott (1780-1851), who lived in a house of pleasing Georgian design opposite (No. 120). He was also a Surgeon, and a partner in the Banking House of Stott, Fletcher, and Stubbs. No. 119 is "the Three Greyhounds," also a Posting House, bearing the sign of the arms of the family of Mauleverer. At Nos. 98 and 99, now two business premises, was another Inn of size, "the White Horse." These, and a number of other Inns, are named in Baines' *Directory* of 1823, of which "the Three Horseshoes" (No. 125), "the Black Lion" (No. 95), "the Black Bull" (No. 79), and "the Malt Shovel" (No. 16), survive. No. 48, now a house and shop, is the probable site of a Maison Dieu. This Hospital had already fallen into decay by 1297 (*Victoria County History of Yorkshire*, 3/304). In *A Stranger's Guide to Aldborough and Boroughbridge* 1846 there is a note on page 11 to say that under the foundations of the house at his site there were "discovered carved stones, as if of an oratory, of good workmanship, and of the stone, commonly called Jack-Daw-Cragstone, of which York Minster was built." Some faced stones built into the south-west angle of the present house may represent the last vestiges of this ancient Hospital. A garden in Boroughbridge called Massindew Garth is named in a Court Roll of 1393, and Masindewe Close in another of 1535. The ancient Tollbooth lay immediately to the east of the Chapel with the open Meat Shambles between. To the north of the Chapel, and abutting on it, was the Town's Lock-up, and the Stocks in the open passage between the Chapel and the north side of the Square. No doubt hereabouts, also, would be Pillery Close, named in a Rent Roll of 1512 (Sir T. Lawson-Tancred, *Records*, page 39).

## ROMAN YORKSHIRE

Edited by DOROTHY GREENE.

### TRIAL EXCAVATIONS AT CATTERICK BRIDGE.

By E. J. W. HILDYARD, F.S.A. and W. V. WADE, F.S.A.

In the autumn of 1938 the attention of the Roman Antiquities Committee of the Yorkshire Archaeological Society was directed by their Honorary Secretary, Miss M. Kitson Clark, F.S.A. (now Mrs. D. J. Chitty), to the Roman Site at Catterick Bridge which was menaced by a scheme to build a bye-pass road which seemed likely to cut through the west side of the fort and destroy part of the vicus, if one existed. It was therefore desirable that the area threatened should be scientifically excavated as fully as possible before the advent of the mechanical navvy. Work was not scheduled to start on the road for some years so that a preliminary investigation, directed by the writers, was undertaken in April 1939 with a view to subsequent excavation on a larger scale. When War broke out the bye-pass scheme was indefinitely postponed.<sup>1</sup>

The writers desire to record thanks for the help and kindness afforded to them by the owner, the late Sir Henry Lawson, Bart., of Brough Hall, and his agent, Major H. Levin, and in the preparation of this report for the expert assistance given by Dr. F. Oswald, F.S.A., who has dealt with the Decorated Samian Ware; for the expert advice of Mr. P. Corder, M.A., on the Coarse Pottery; of Dr. D. B. Harden, V-P.S.A., on the glass; of Dr. I. A. Richmond, V-P.S.A., on the walls and defences; and of Mr. E. Birley, M.B.E., F.S.A., for his note on the mortarium stamp. Valuable help in the field was rendered by Miss Gwen Boston and by Messrs. R. M. Chapman, J. G. Scott, W. H. Hodsman, C. J. Baines and the late Mr. H. Balmforth.

Since the prospect of further work at Catterick seemed remote at the time the report was being written, the writers felt it advisable to issue a fuller report than they would otherwise have done at what would, but for the War, have been only the preliminary stage of the investigation.

#### THE HISTORY OF THE SITE.

The site stands adjacent to Thornbrough Farm on the South Bank of the Swale about 100 yards West of Catterick Bridge on the main Roman Road, Dere Street, running North

<sup>1</sup> Since the War the position has been carefully watched but the danger is still not immediate. Nevertheless, but for labour and other difficulties the R.A.C. would have resumed excavation.



from York to the Wall. It is marked on the Ordnance Survey of Roman Britain<sup>1</sup> as a fort. Five miles to the North a branch road from Dere Street to the West running over the Pennines to Brough, provides the principal link between the two great Roman highways which served as lifelines to Hadrian's Wall. The position of Catterick is therefore of considerable strategic importance.

The name has survived almost unchanged from Roman times, Katarrakton being mentioned in Ptolemy's Geography and Cataractone in the Antonine Itineraries. It is the only actual place name of the eight British names surviving in the North Riding. This, however, has not been thought to denote a scanty British population (subsequent to the Saxon conquest), on the contrary it is considered significant that these eight names all "occur in fertile parts like the Vale of York which seems to show that here the Britons were not driven Westwards out of their original homes nor were isolated by natural obstacles, but survived, as in Lancashire, in isolated groups."<sup>2</sup>

In this connection may be mentioned the recent work of Prof. Ifor Williams<sup>3</sup> on the *Gododdin of Aneirin*, a Welsh bardic classic poem which is an elegy of 300 British warriors killed at Catraeth. Williams brings strong arguments in support of the identification of Catraeth with Catterick. If this is so the battle may have been a desperate attempt by the British of Strathclyde in the last years of the 6th century to drive back the growing power of Deira while Bernicia in the beginning of Aethelfrith's reign (592-617) was weak. A year or two later in 603 Aethelfrith annihilated the army of the Scots and Strathclyde Britons at Degsaston. It is, however, possible, that the two battles are one and the same, in which case the identification with Catterick would not stand.

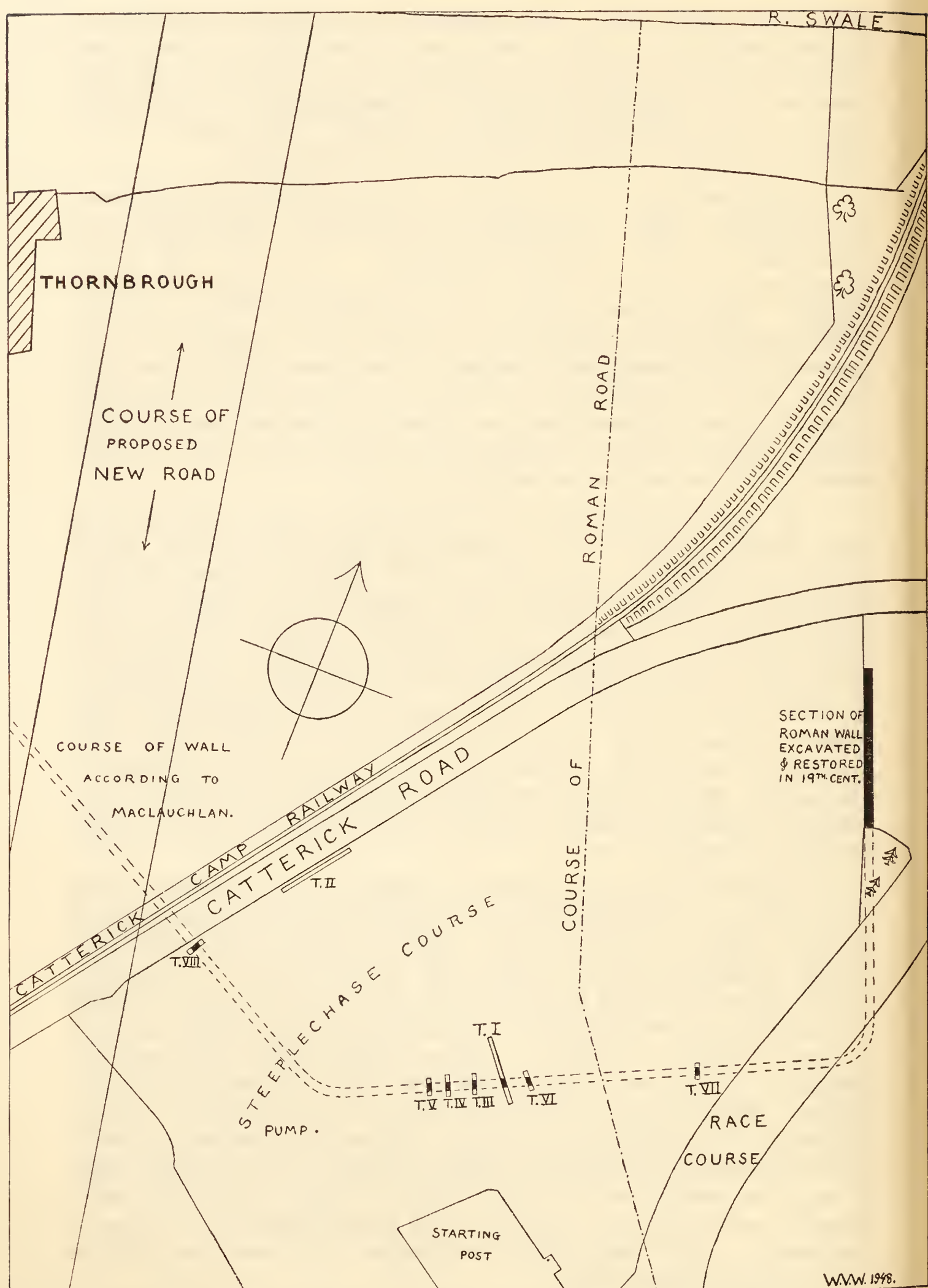
The site has been known as Roman since Camden's time and Gough, in his edition of the *Britannia*<sup>4</sup> gives a description of the site and of previous finds. These included the magnificent bronze cauldron, now at Brough Hall, found in 1625. Its capacity is 24 gallons and if, as is said, it was full of coins (none of which are now known) when found, this hoard must have been as large as any recorded in Britain. Other notable finds have been an aureus of Nero, two carved stone lions and various inscriptions. Perhaps significant in view of the story of the Gododdin was the discovery "in stubbing up a hedge in Thornboro' pasture in 1817" of two splendid cruciform gilt Saxon fibulae, now at Brough Hall. It may be mentioned here also that in August 1939 part of a Roman building came to light in the R.A.F. Station 1½ miles to the South. In it were Saxon interments and associated objects

<sup>1</sup> Second Edition, 1931.

<sup>2</sup> *Place Names of the North Riding of Yorkshire* (English Place Name Soc., Vol. V), Introduction, p. xvi.

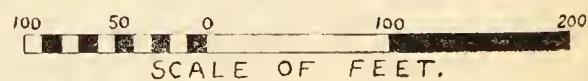
<sup>3</sup> See *Antiquity*, Vol. XIII, No. 49, March 1939, pp. 32-34. *The Gododdin of Aneirin*, by Kenneth Jackson.

<sup>4</sup> 1806, Vol. III, pp. 336-337.



# CATTERICK BRIDGE.

EXCAVATIONS OF 1939.





which included another splendid gilt and silvered Saxon fibula of the same type. About a quarter of a mile from this site on the West side of Dere Street the evidence of repeated stray finds seems to point to the existence of a Roman Villa near Baines Farm. There seems to have been a cemetery to the South of the fort.<sup>1</sup>

About a century ago Sir William Lawson undertook considerable excavations on the site, digging along the East, South, and part of the West walls. He restored a portion of the East wall but the rounded South-East corner which he located seems to have been since destroyed by the Race-course. He appears also to have found the South gate through which the Ermine Street entered at a slight angle. It must have been from his plans that MacLaughlan marked the position of walls and gate on his survey in about 1850.<sup>2</sup> The line of the West wall there shown is irregular and includes an apparent re-entrant angle. It was obvious that the first task of modern excavators would be to verify the accuracy of this plan.

### THE EXCAVATIONS.

The site of the fort is bisected by the double line of the road and the light railway to Catterick Camp. Permission had been obtained to dig only in the field South of the road, belonging to Sir Henry Lawson, Bart., and even here the investigations were limited by the presence of the two race-courses which could not be encroached upon. The scope of the excavations, upon which four labourers were employed for less than a fortnight in April 1939, was not intended to embrace more than the location of the South and West walls of the supposed fort. This object was achieved as fully as was possible in the very limited area available for excavation.

The only surface indication was a ridge showing signs of stone footings running East-West from the South end of the portion of the East wall restored by Sir William Lawson. This seemed likely to indicate the line of the South Wall. A cut (TRENCH I, see Section, Fig. II) was accordingly made across this ridge which proved to be merely the line of an old hedge with stone bottoming. Beneath it and to the North digging was continued through nearly 6 ft. of rather loose, disturbed soil in which pottery of all periods from Hadrianic Samian to Signal Station were occurred though 4th century types predominated. It is possible that this ambiguous material marks the site of former excavations.

Below it came a series of clearly defined but irregular strata of black soil, mixed dirt and clay which appeared to be the successive tipplings into a rubbish pit, the South side of which began

<sup>1</sup> Whitaker says "But vestiges of habitation appear over a tract of more than a mile to Catteric town and even to Brough Hall; and all over this space skeletons have been found lying at random." *History of Richmondshire*, 1823, Vol. II, p. 22.

<sup>2</sup> See also MacLaughlan's description in the *Archaeological Journal*, Vol. VI, 1849, p. 215.

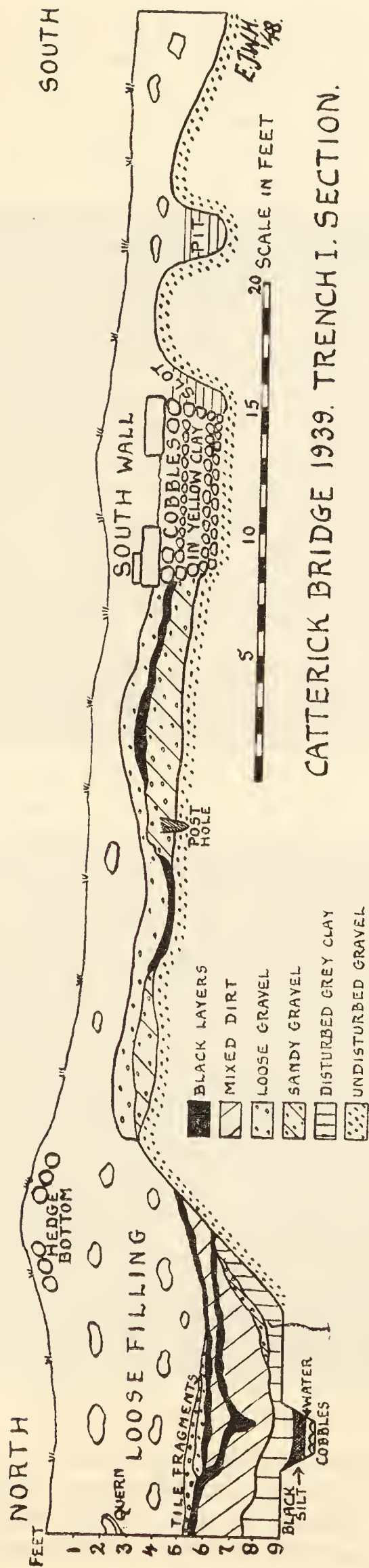
to cut into the gravel sub-soil below the hedge bottoming at a depth of 3ft. 6 ins. and which was followed downwards to a depth of 9 ft. The pit was clearly of very considerable size but it was impossible to ascertain its extent to the North owing to the presence of the Steeplechase Course. The depth also was not certainly discovered. A hole cut in the bottom of the trench reached water at about 10 ft. and beneath it cobbles overlaid by black silt probably marked the bottom of the pit.

The rubbish strata yielded a considerable quantity of both Samian and Coarse pottery none of which is certainly later than the Antonine period. Although it was not to be expected that there would be any very clear-cut retrogression in date according to the different layers, there was a definite tendency in this direction from Antonine down to Trajanic and late 1st century pottery in the lowest levels.

The South wall was located 22ft. South of the pit running North-East-South-West across the trench and was found to be 7 ft. 6 ins. broad, which confirms MacLaughlan's measurement. It consisted of a top footing course of massive roughly squared stones on some six irregular courses of cobbles set in yellow clay. No facing stones of the actual wall survived in any of our cuts but there is no doubt that the footings were surmounted on the outer side by a plinth course of stones of triangular section above which came the first course of the wall proper. This arrangement can be seen in the restored portion of the East wall and a number of both facing and plinth stones were found in some of our cuts. According to a local mason the stone, a gritty reddish sandstone, must have come from quarries at Melsonby 6 miles North of Catterick Bridge.

TRENCH I was continued 15 ft. beyond the wall without a ditch being found, a certain irregular lowering in the level of the undisturbed gravel being accounted for by the natural fall of the ground. Five feet in front of the wall a pocket of dark earth penetrating 3 ft. into the natural gravel marked the presence of a small pit. (See Section). It contained no finds. There were no clear signs of a rampart backing on to the wall. There was a small pocket of disturbed sand at one point slightly suggestive of a rampart but this feature was not repeated in any of the other cuts. There are instances in forts on Hadrian's Wall where rampart backing was removed for various reasons in Roman times but there was nothing to suggest that this had happened here and the former existence of rampart backing was made still more unlikely by the presence of an occupation level of loose disturbed gravel above an intermittent black layer extending from the wall as far as the edge of the pit and which appeared to be associated with the wall. (See Section). This yielded a quantity of Samian and glass of 1st and 2nd century date including a stamp of BIGA of S. Gaul (Domitianic). A disturbed sandy gravel layer below the black layer yielded nothing but a single post hole 9 ft. 6 ins. North of the wall.





To the East the wall was traced for 160 ft. (TRS. VI and VII) running straight to a point that must be near the South-east corner. The latter which, judging by the course of the wall must have been slightly obtuse, seems to have been destroyed by the Flat Race-course. To the West of TR. I, the wall was traced (TRS. III, IV and V) running straight, as far as was possible without disturbing the Steeplechase Course which seemed to cover what it was conjectured would be the South-west corner. A 70 ft. East-West cut (TR. II) inside the fort failed, however, to intercept the West wall. A cut near the Western fence of the field in the line of the South wall, proved that it had nevertheless, turned somewhere, and another cut (TR. VIII) near the road 85 ft. West of the end of (TR. II) struck the wall running South-East-North-West in a more northerly direction than before. Its presence here confirmed MacLaughlan's plan. Beneath the wall at this point ran a drain protected by three massive oblong squared blocks. In the drain was found a portion of a Samian form 37 dated to A.D. 130-140, a small fragment of Castor ware and the rim of a latticed cook pot of 2nd-3rd century date. The angle, it can scarcely be called corner, must be beneath the Steeplechase Course.

The chief feature of TRENCH II was a layer of heavy river cobbles which, with one apparent interval, ran the full length of the trench. They were overlaid by a sparse layer of gravel that indicates that they were the foundation of a road or courtyard and this was partly confirmed by a cut through them at the West end of the trench which revealed two distinct layers of fairly compact metalling overlying cobble foundations. 20 ft. from the West end of the trench the cobbles had sunk 3 ft. into what must have been a pit or ditch beneath. It was not possible in the time at our disposal to penetrate systematically through the cobbles and the stratification was not satisfactory but the pottery from levels below them was predominantly Antonine or earlier. In the cut at the West end, at a depth of 5 ft., a small group of decorated Samian indicated an earlier occupation level. There were no traces of any building in the trench.

### CONCLUSIONS.

The Trial Excavation can be said to have proved two things about Cataractonium. First the irregular shape of the walls in which MacLaughlan's survey has been, up to a point, confirmed; and secondly that the site was occupied so far as can be judged, without a perceptible break, for a very long period, since pottery ranged from Agricolan Samian and rustic ware up to Signal Station types, and late pottery was plentiful.

In normal times further speculation would scarcely be justified but in the present circumstances some wider conjectures may be permissible about the date of the walls and the nature of the site itself. The actual structure of the walls offers no clue to





TRENCH VIII.    RIGHT—The Wall from the East.  
                          LEFT—The Wall from the West showing drain running beneath.







the period of their erection. The absence of a rampart to the (South) wall is very unusual. Where such a thing does occur in Britain it is in late forts,<sup>1</sup> and these also tend to be irregular in plan. On the other hand the pottery from the level associated with the wall in TR. I, and from the drain in TR. VIII, points to a much earlier date. The suggestion then arises that the walls may not enclose a fort at all but rather a civil town. The lack of rampart and irregularity of plan would not be inconsistent with this and, if, as MacLaughlan's plan shows, there is a re-entrant angle in the West wall, this could scarcely be found in an early fort; but such a feature does occur in the town walls of London.

Much of the lowland areas of Yorkshire may be said to be a sort of border-land between what Haverfield called the civil and military districts of Britain. The tendency of recent work in general has been to suggest that Roman civilization, apart from mere military rule, was more widespread in the county than had been supposed. There is no need, therefore, taking into consideration the proximity of such sites as Bainesse, Catterick Aerodrome, and Greta Bridge and the villas at Well and Middleham, to assume that Catterick must necessarily have been a place of purely military character.

Trial excavations usually raise more problems than they solve and these were no exception. Only future work can show whether Cataractonium, like Petuaria, began as a fort and developed into a civil town whose history, in view of the Gododdin and the Saxon finds, may prove to be of unusual interest.

## THE FINDS.

### A. PLAIN SAMIAN.

Besides the decorated forms 30, 37, and 67, most of the commoner plain forms were represented, viz :—18/31, 27, 31, 32, 33, 38, 45, and 46. None were sufficiently complete or otherwise remarkable to merit illustration.

### B. DECORATED SAMIAN.

By FELIX OSWALD, D.Sc., F.G.S., F.S.A.

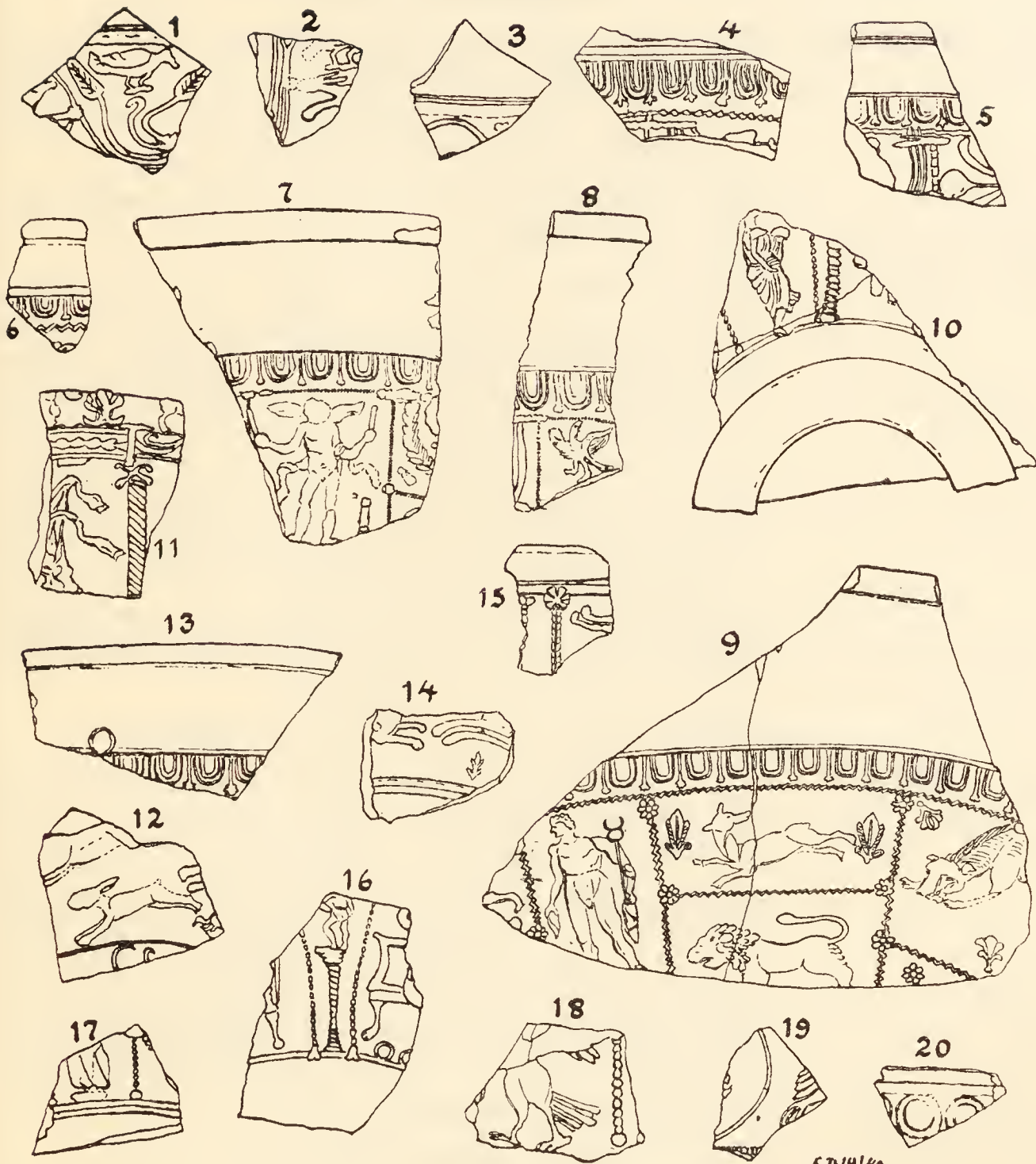
No.

1. Form 67. Bird. (O. 2230) Insufficient to identify potter. La Graufesenque, Vespasianic A.D. 70-80
2. Form 67. Bird (O. 2247) to right over hare (prob. O. 2129 though ears are more defined), to left within a scroll. La Graufesenque, Vespasianic 70-80.
3. Form 67. Perhaps part of same vase as No. 1, Vespasianic 70-80.

<sup>1</sup> Such as Portchester, Bewcastle, and Piercebridge, the next site on the road north of Catterick.

4. Form 37. Brownish glaze, perhaps due to fire. Three pronged tongue of ovolo characteristic of Domitianic period of S. Gaulish ware above wavy line and indication of festoon of three lines containing triangular leaf as often used by MERCATOR and possibly his work. The ovolo is also similar to his. 80-90.  
Nos. 1 to 4 from TR. II W. end, the early occupation level below both roads.
5. Form 37. Three pronged ovolo and similar features and similar trifid ornament occur on a 37 at Gunzburg stamped MERCATO retro. (Knorr T. S. '19, Text, fig. 47) Style of MERCATOR of S. Gaul, 80-90. TR. I, Loose gravel layer near Wall.
6. Form 37. Small, with narrow plain zone. Sharp zig-zag line below ovolo. Trajanic. 100-110.  
TR. I, 8 ft. 6 ins. Just above black silt.
7. Form 37. Panels made of bead row of fine beads as used by the Trajanic potters BIRRANTVS, DONNAVCVS and IGENALIS. The figure of Cupid with torches (O. 450, a slight variety) is used by BIRRANTVS (mould at Mainz) and here too, he uses astragali in the field and the festoon is used by him on a 37 (BIRRANTVS retro) at Donnstettin (Knorr, Rottwell 1907, P.L. XX, No. 14) so it can be safely attributed to him. Trajanic 100-110.  
TR. I. Loose gravel layer.
8. Form 37. Bead row of fine beads as used by BIRRANTVS, IGENALIS and DONNAVCVS. Bird with outstretched wings (O. 2315A) occurred on a 37 with AD monogram of DONNAVCVS at Leicester. Trajanic, 100-110.  
TR. I. 8 ft. 6 ins. Disturbed grey layer.
9. Form 37. Excellent glaze. Panels marked by wavy lines and rosettes at junctions. In first panel Mercury (a variety of O. 529 and a better figure) occurs on a mould BIRRANTVS at Mainz, but his panels are marked by beadrows (not by wavy lines) though he uses the same rosette at the junctions. The same Mercury occurs on a 37 BIRRANTVS retro at Donnstettin and there his bead rows are the same small fine beads and also the same rosettes. But his ovolo is different in these cases as well as on a 37 of his at Bingen. So this bowl cannot certainly be attributed to BIRRANTVS though it may be an early work of his. But it is certainly Trajanic. The Bear apparently has a





RJNH'40.

SCALE OF INCHES



bone in his mouth (O. 1608 no bone). The lion (O. 1426) may also be Trajanic and occurs at Vichy as well as Lezoux. The one to left (O. 1815) may also be Trajanic. The bowl was probably made at Vichy, 100-110.

TR. I. Disturbed grey layer, 8 ft. 6ins.

10. Form 37. Neat and small footstand. Woman with crossed feet. (O. 929) Bead row of oblong beads. Spiral column like that of IVLLINVS but insufficient to identify. Hadrian-Antonine 130-140.

TR. VIII, from the drain running below W. Wall. (See Plate).

11. Form 37. Rather thick. Style of IVLLINVS of Lezoux. Characteristic of his work are the twisted column with capital composed of two dolphins which occurs together with the scroll in oblong frame on a 37 IVLLINI retro in St. Germain Museum. The scroll in oblong panel also occurs on a 37 IVLLINI retro at Chester-le-Street. The dancer (slightly smaller variety of O. 353) is recorded on a 37 mould IVLLINI M. Lezoux and a 37 IVLLINI retro at Marcillat (both Dechelette). It is certainly therefore by IVLLINVS. His 37s are evidently Hadrian-Antonine c. 130-140.

TR. II. West end, below gravel layer.

12. Form 37. C.R. (retro) under decoration. Free style. The only complete figure is a hare to left (Probably O. 2129A) similar to a hare on a 37 CRICURO retro London Museum, in front of the serpent and rock (O. 2155) which is frequent on 37s with the CR stamp, occurring at Maldon and Chester. The animal above the hare is probably a bear to right but is too imperfect to identify though it may be O. 1633L. This work of CRICVRO of Lezoux may be dated 130-140.

TR. II. Below cobbled road.

13. Form 37. This piece with large rivet hole may be part of No. 12 for the ovolo is closely similar to the 37 CR(ICVRO) of Maldon (Colchester Museum) with a plain zone of similar width.

TR. II. Below cobbled road.

14. Form 37. Probably dog chasing hare but too indeterminate to identify. The double basal ridge is used by ATTIANVS but also by others. Hadrian-Antonine 130-140.

TR. I. Above stratification in rubbish pit.



15. Form 30. Insufficient to determine but probably Hadrian-Antonine. 130-140.  
TR. II. 8 ft. 6 ins. Disturbed grey layer.
16. Form 37. Thick, poor glaze. Bead rows of oblong beads, sometimes used by DOECCVS (e.g. 37 Lezoux DOVECCUS) small gladiator (O. 1061. A) on crown on spiral column. Apollo seated with harp O. 83. Possible style of DOECCVS but certainly Antonine, *c.* 140.  
TR. II. Below cobbles.
17. Form 37. Thick. Trifid ornament used by CINNAMVS and other Antonine potters but beads of bead row too small for CINNAMVS. Antonine 130-150.  
TR. I. Below black layers, 7 ft. 6 ins.
18. Form 37. Thick. The Eagle is O. 2167. Can be confidently attributed to CINNAMVS of Lezoux 140-150.  
TR. II. Unstratified.
19. Form 37. Bead row and medallion. Insufficient to determine. Perhaps Antonine.  
TR. I. Above stratification in rubbish pit.
20. Form 31. Basal part. Concentric rings in series but insufficient to identify. Probably Hadrianic, 120-130.  
TR. I. Above stratification in rubbish pit.

### C. POTTERS STAMPS ON SAMIAN WARE.

1. GAE on Form 33. BIGA of S. Gaul. Domitianic.  
TR. I. Loose gravel layer.
2. DAGO (on Form 33 Probably). This might be either DAGODOBNVS or DAGOMARVS but the latter uses smaller letters and it must be DAGODOBNVS (of Lezoux) as it agrees with a facsimile from Pfunz in which the cross-pieces of the A and G are both oblique thus; **DAGODVBNVS** on a 33. Hadrianic *c.* 120-130.  
TR. I. Unstratified.
3. Fragmentary stamp **S ER CE./RTI**. The gap between SER and CER serves to support my theory of a partnership between ICERTVS (Domitian-Trajan) and SERVVS (Hadrian-Antonine) both of Lezoux. This is a 33 as at Corbridge.  
TR. I. Unstratified.
4. V)XXOPIL(LI on Form 31. Usually UXOPILLVS of Lezoux has stamps with only one X. This stamp occurs on a 33 at AUGST and is recorded (without form) at Jublains, Trion, Berne and Galgen. Antonine. There appears to be a

rivet hole. If so, period of final breakage may be later than time of manufacture.

TR. II. Below cobbles.

#### D. COARSE POTTERY.

##### POTTERY FROM THE PIT.

1. Mortarium with red core, white slip. 2nd century. Upper black layer.
2. Brownish black polished cookpot, lattice above shoulder. Below black layers.
3. Hard grey jug. (Prysg Field, The Roman Legionary Fortress at Caerleon. Excavation Report 1932. Nos. 94-100). Had-Ant. Below black layers.
4. Black jar. (Birdoswald C. & W. Trans. 2nd Series. Vol. XXX, p. 169, c. 120-190). Below black layers.
5. Polished black latticed pie-dish. (Birdoswald, c. 120-190). Below black layer.
6. Fumed grey to black beaker. Prob. Antonine. Below black layers.
7. Smooth grey bottle, derived from Celtic prototype. (Silchester PL. LXXVI, 9) 1st century or, possibly early 2nd. Below black layers.
8. Single handled jug, reddish buff with dark grey core and large lip. (Corbridge 1936-8 *Archaeologia Aeliana*, Vol. XV 4th Ser. Fig. 9, No. 7). Antonine. Below black layers.
9. Handled mug. (Birdoswald Fig. 15, No. 31, c. A.D. 120-190 Old Kilpatrick XXI. Antonine). Disturbed grey layer.
10. Black polished beaker, almost certainly late 1st cent. Black silt.
11. Calcite gritted dish, brown surface, grey core. Probably contemporary with No. 10.

##### OTHER POTTERY.

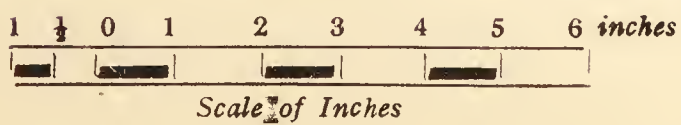
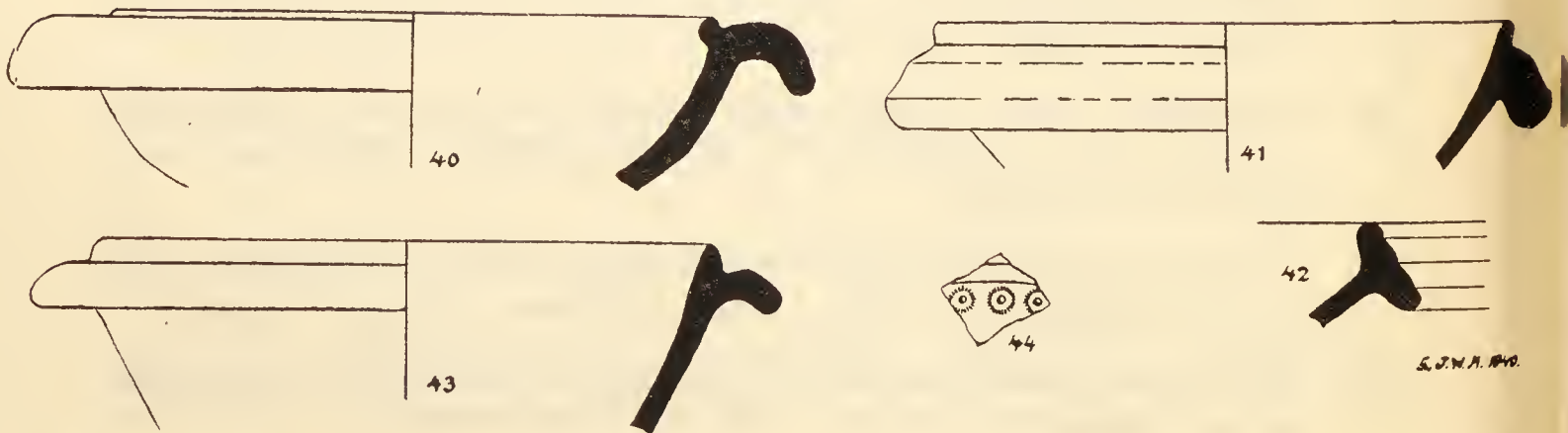
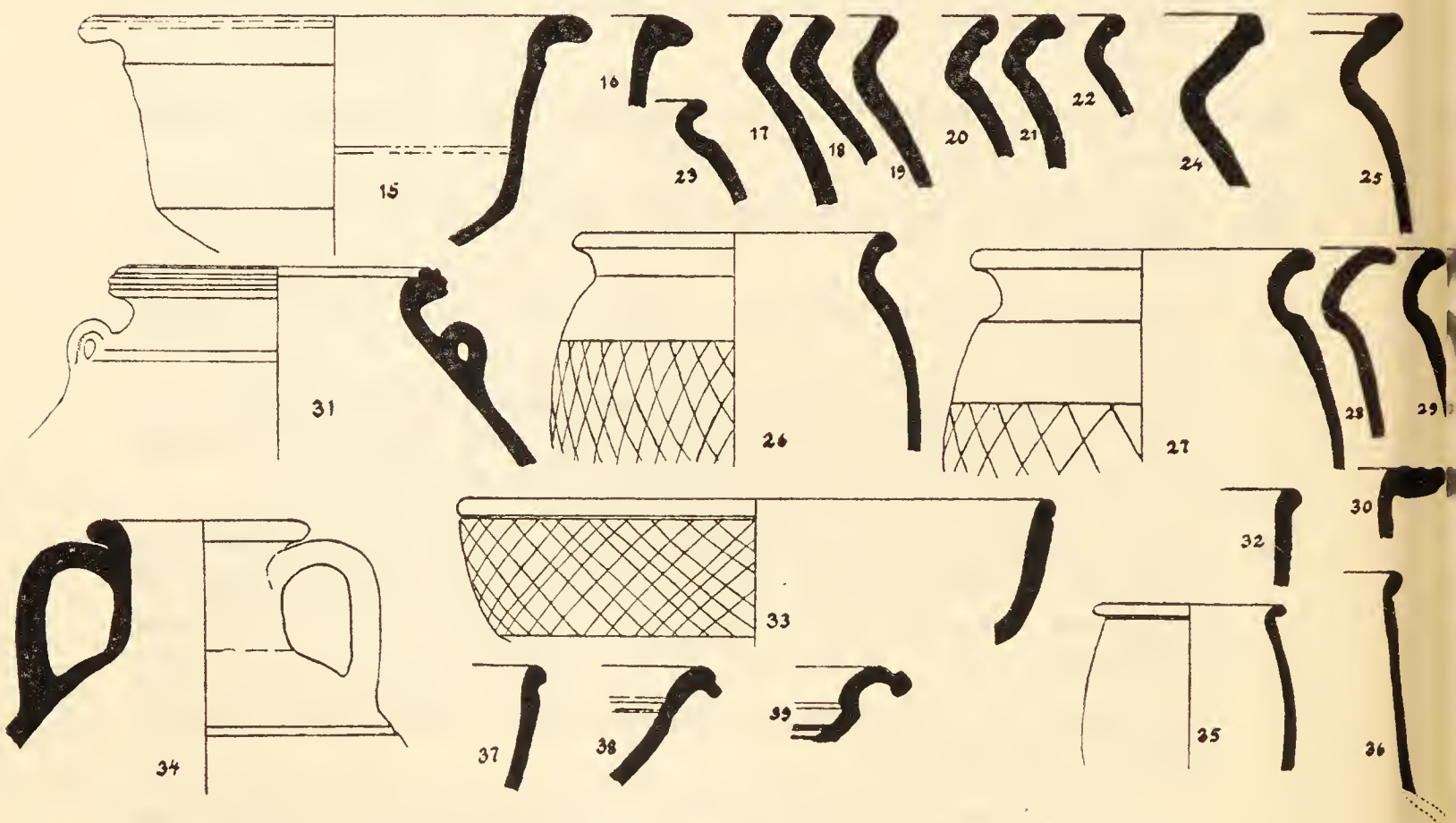
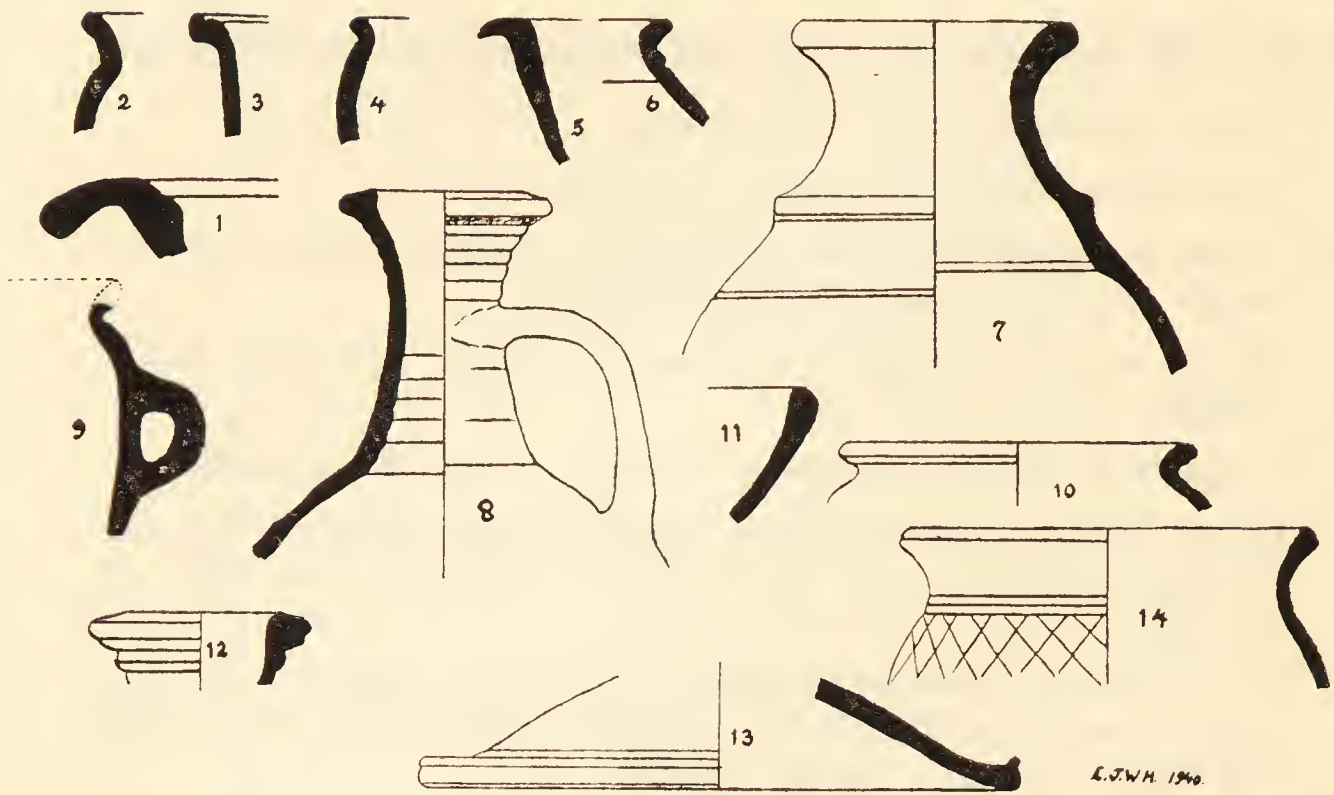
12. Red Jug with six ringed mouth piece. (Wroxeter 1912. Fig. 17, No. 1. Ospringle PL.L. No. 662) c. 80-120. In gravel layer near wall.
13. Hard grey lid. (Brough 1936, Fig. 12, Nos. 70 and 71), late 1st century. In gravel layer near wall.
14. Grey fumed jar.<sup>1</sup> Lattice below neck. 2nd-3rd century.  
TR. VIII. Drain running beneath W. Wall.

<sup>1</sup> This sherd has been examined by Mr. J. P. Gillam who points out that it is a wheelmade jar not a cooking pot. If it had been the latter he could have dated it by the angle of the cross hatching to A.D. 120-160, but he can find no parallel to the hard and homogeneous fabric.



Nos. 15 to 22 from the top of the pit above definite stratification.

15. Black carinated bowl. Had.-Ant.
16. Grey ditto., slightly smaller diameter.
- 17-22. Black cookpots in calcite gritted ware with polished exteriors rough interior. Nos. 17-19 handmade.
23. Black cookpot, polished rim and shoulder. TR. II. Below cobbles.
24. Large unpolished handmade cookpot. TR. II. Topsoil.
25. Large black calcite gritted cookpot with groove for lid. (Brough 1936, Fig. 15, Nos. 143-7). Early 4th cent. TR. II Topsoil.
26. Fumed black cookpot, polished rim and shoulder. Lattice pattern on unpolished body. (Brough 1936, Fig. 13, No. 85) 2nd cent. TR. II. Below cobbles.
27. Fumed grey cookpot, rough body with lattice. (Corbridge 1936-38, 1938. Fig. VII, No. 15) 3rd cent. TR. II. Below cobbles.
28. Cookpot of large diameter, fumed black exterior, reddish brown interior. TR. II. Topsoil.
29. Grey cookpot of large diameter, wavy line on neck. TR. I. Topsoil
30. Grey bowl with reeded rim. Early 2nd cent. TR. II. Below cobbles.
31. Buff "honey pot" with small handles. This pot, Mr. M. R. Hull says, is of local manufacture and cannot be dated closer than the period A.D. 80-180. TR. II. Topsoil.
32. Pale red surcoated bowl with grey core imitating Samian form 37. (Birdoswald, Fig. 15. Nos. 60 and 61. Many at Caerleon, Prysg Field, both A.D. 120-190). TR. II. Below cobbles.
33. Bevelled black rimless latticed pie-dish. Had.-Ant. TR. II. Below gravel layer.
34. Grey flagon with two ribbed handles and plain rim. (Wroxeter 1913. Fig. 18, No. 45. Richborough III, PL. XXXII, No. 195, Niederbieber No. 65). Late 1st-early 2nd cent. TR. II. West end below both roads.
35. Globular Castor beaker, thin reddish brown ware. (Birdoswald, 27A Prysg Field, Fig. 60, Nos. 305-7). Mid 2nd cent. TR. II. Topsoil.
36. Tall conical Castor beaker, black slip, red core. (Richborough I. PL. XXIX, No. 120). Mid. 4th cent. TR. I. Topsoil.
37. Hard grey bowl, in fabric, but not in form like Crambeck ware, probably 4th cent. TR. I. Unstratified.





38. Pink colour coated bowl, grey core. A form derived from Samian 35-36 that is common in late white-painted ware (Silchester PL. LIV. No. 96, PL. LXV, No. 139, 4th cent.), and red wares (Rich. I, PL. XXVIII, No. 114, late 4th cent.), or New Forest form 36. (Ashley Rails PL. VII, Nos. 1-4). TR. I. Above Pit stratification.
39. White bowl with red painted decoration in interior. (Lydney fig. 26, Nos. 26 and 27, Ashley Rails PL. VIII, No. I. Richborough I. PL. XXVIII, No. 114), 4th cent. TR. II Topsoil.
40. Stamped Mortarium. Red core with white slip. (Wroxeter 1912, Fig. 19, No. 70. Caerleon. Jenkin's Field, 1926, Fig. 35, No. 115), *c.* 150. TR. II Below cobbles.
41. White mortarium. Light grey core. (Richborough I. PL. XXVIII No. 98), 4th cent. TR. II. Unstratified.
42. Pipe clay hammer head mortarium. (Wroxeter 1912, Fig. 20, No. 214), late 3rd-4th cent. TR. II. Top soil.
43. Colour coated flanged bowl, 3rd cent. TR. IV.
44. Sherd with stamped rosette decoration, buff exterior, grey core. (Richborough I. PL. XXX, Nos. 5 & 7. "This type of decoration was not confined to red coated ware"). This sherd is not in New Forest fabric. TR. II. Below gravel layer.

As might be expected some of the Crambeck and Signal Station types were also represented but it has not been thought necessary to illustrate these.

#### E. STAMPS ON COARSE POTTERY.

Mortarium Stamp, see fig. iii, No. 40.

Mr. E Birley writes "The fabric is reddish buff, cream washed, blue in fracture. The stamp reads ]XOM presumably MOX retrograde, with indications of a second line below. The only possible parallel known to me is a fragmentary stamp from the Forden Gaer in Montgomeryshire (Arch. Cambrensis, 1929, pp. 134-5, figs. 18. No. 6 and 19. No. 6a) given as ]OXX, on a "coarse brick red" piece. The potter's name was no doubt MOXIUS, and his date, to judge by his fabric, *c.* 150.

#### F. SMALL OBJECTS.

##### BRONZE

- No. 1. Base of bronze patera, with the usual concentric external grooves and internal convexity. Fig. IV, No. 1  
TR. II. Unstratified.

- No. 2. Bronze clasp with triangular loop for sewing on to material. (Wroxeter 1913, Fig. 5, Nos. 15 and 16, and Caerleon, Myrtle Cottage orchard 1939, fig. 7, No. 31). Fig. IV, No. 2.  
TR. I. Unstratified.

Portions of two lava querns were found in TR. I, and a small whetstone or hone in TR. II.

#### G. COINS.

- No. 1. Barbarous radiate. Rev. Copy of PIETAS AVGVSTOR, sacrificial implements type. Late 3rd century or later.  
TR. I. Unstratified.
- No. 2. Small bronze. This coin, illegible when found decomposed before it could be examined.  
TR. I. Unstratified.

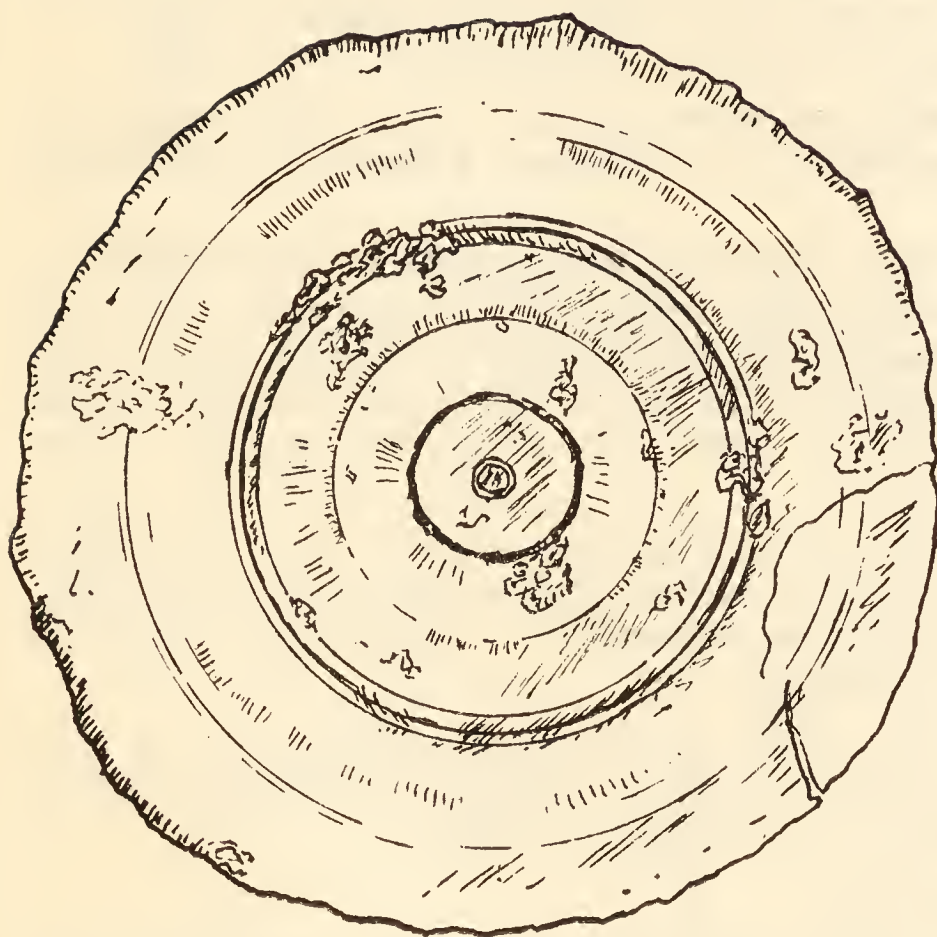
#### H. GLASS.

About twenty fragments of glass were found and examined by Dr. D. B. Harden. These included fragments of :—

1. Pillar moulded bowl, pale green glass. 1st or early 2nd century A.D.
2. Thickened rim of green glass jar with trace of spiral ribbing on neck.
3. Shallow bowl, complete base with tubular base ring, pontil mark in centre.
4. Neck and shoulder of four sided mould pressed bottle, dark green glass.
5. Cylindrical neck with turn-over to shoulder of very large bottle, dark green glass.
6. Ribbed handle probably from a two handled cylindrical bottle, light green glass.
7. Two sides and base of a rectangular mould pressed bottle, dark green glass.

“All the Shapes are typical of glass of the first and second centuries and the fabric and colour bear out the dating of this uniform group.”

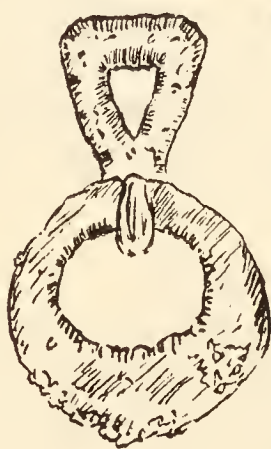




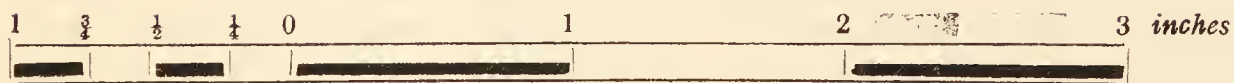
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2



E.J.W.H.  
1940.



Scale of Inches

## A LATE FOURTH CENTURY OCCUPATION SITE at SEAMER, near SCARBOROUGH.

By N. MITCHELSON, B.Sc.

The Gravel Pit owned by the Seamer Sand and Gravel Co. lies close to the Seamer Railway Station, and south of the Seamer to Cayton Road. The map reference is 6 ins. Sheet XCIII S.E. Lat.  $54^{\circ} 14' 54''$  Long.  $0^{\circ} 25' W.$  and it is 100 ft. above O.D.

The first recorded reference to the site is that made by Mortimer<sup>1</sup> to the discovery of a supposed Chariot burial, about 1862.

During the last war, finds of Roman Pottery were frequent. A sword, a pair of iron tongs, blue glass beads (now lost), and querns have also been found. Through the watchfulness of Mr. W. G. Knowles, Manager of the gravel pit, many objects which would otherwise have been lost, were saved and placed in the Scarborough Museum.

In the course of gravel digging a section of a V-shaped ditch was exposed; part of a system which had enclosed an area, the size of which it is now impossible to determine, owing to destruction by gravel workings.

In 1947, Mr. J. G. Scott excavated a small section of this ditch, and proved occupation of the area from the late first century to at least the middle of the fourth century.<sup>2</sup>

### DESCRIPTION OF THE SITE.

There are no surface indications of any remains in the fields surrounding the Gravel Pit. In the spring of 1948, top soil was being removed in order to extend the gravel workings, when a thick scatter of pottery, and a number of obviously artificially laid stones were found. Permission was obtained to excavate this area,<sup>3</sup> which lay about 50 yards south of the ditch section dug in 1947.

### THE HUT. ("A" on Map of Site) *Fig. II.*

At a depth of about 2 ft. from the present surface the stone foundation of a hut, roughly circular, was uncovered. The stone was nearly all limestone, and had been placed on the gravel, and not in a trench. It formed a hollow figure (see plan), the inside consisting of trampled gravel. The stones were unequal in size, although they had evidently been chosen for their flatness, so that a tolerably level foundation resulted. Spaces between the

<sup>1</sup> Mortimer, *Forty Years' Researches*, p. 358.

<sup>2</sup> *Y.A.J.*, Pt. 145, p. 116.

<sup>3</sup> Thanks are due to Mr. W. G. Knowles of the Seamer Sand and Gravel Co. and to Mr. F. W. Dennis of Crossgates Farm, Seamer, for permission to dig, and for the loan of equipment. Mr. Knowles moved his workmen from the area. Without the active help of Messrs. Duke, Mountford, Rimington and Shepherd, the dig would not have been completed. Finds will be placed in the Scarborough Museum.



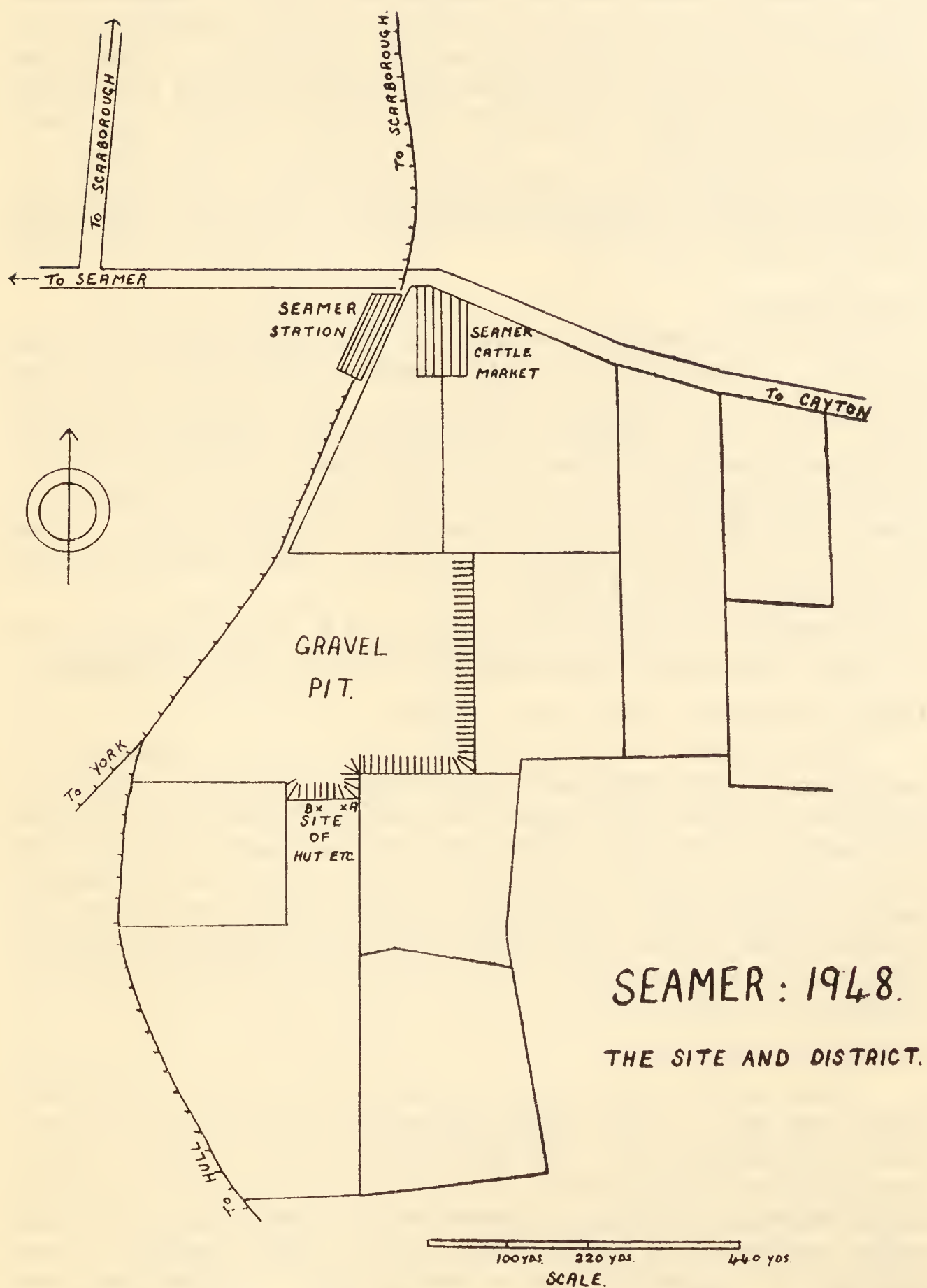


FIG. I.

larger stones had been packed with smaller ones. The foundation measured 18 ft. North to South, and the same East to West at the widest point. In parts, the stone work measured about  $2\frac{1}{2}$  ft. across whilst at some points it had been reduced to single stones. Over all, a 9 ins. thick layer of black occupation débris had accumulated, and from this layer all the finds came. When this layer was removed, it was found that the floor had been worn into a saucer shaped depression, the middle about 9 ins. lower than the outer edges.

At the West side, and facing North, was an opening in the stone foundation, evidently the entrance. It was 2 ft. wide and was worn hollow with use.

#### THE HEARTH.

At the centre was a roughly circular hearth, about 4 ft. in diameter. At its West edge was a square stone, which may have been used as a support for cook-pots. It was burnt on one side only. The hearth consisted of a double layer of stones, the lower ones having been placed in a pit dug about 1 ft. into the gravel, and the upper layer packed on top. The spaces between the stones were filled with ash and scraps of wood charcoal, whilst all around the sand and gravel was burnt. From the hearth came a quantity of cook-pot sherds.

In front of the hearth was a stone 3 ft. 6 ins. long and over 2 ft. wide, which gave the irresistible idea of a seat. (See plan).

#### THE POST HOLES. (See Plan, *Fig. II*).

On the East and West sides of the hut were found seven post holes. They would hold posts 9 ins. — 10 ins. in diameter, and were 1 ft. 9 ins. deep below the level of the base of the stones. The holes had been dug wider than was necessary, the posts put into position and then packed into place with wedge shaped stones, mostly chalk, and gravel. Unfortunately it was impossible to trace holes at the North side of the hut for there the foundations had been damaged by the mechanical excavator, and none were found to the South.

#### THE PITS. (*Fig. II*).

Close to the South edge of the interior of the hut were found two pits. They were circular, and had been dug about 4 ft. in diameter, lined with stones, and were 3 ft. deep. They were filled with black greasy soil, and from them came a number of pot sherds, including the shoulder of a cook-pot, a jet head, and a few pieces of burnt animal bone. Their purpose is best explained by regarding them as storage pits. Perhaps they were lined with wicker,<sup>1</sup> or they may have held large store jars.

#### THE FINDS AND THEIR SIGNIFICANCE.

Finds of pottery were numerous, over 500 sherds being found, and, apart from one small piece of Castor Ware, too

<sup>1</sup> cf. Corder, *Elmswell III*, pp. 21-2.



small for the shape of the vessel from which it came to be determined, and two square rims of Knapton Ware, all the pottery is of Crambeck and Huntcliff types. Of the Crambeck Ware, all but one example (No. 8) is of types that have been found on the Signal Stations. The Calcite Gritted Ware is all of well known types, also found there. Thus the pottery can all be safely assigned to the last quarter of the Fourth Century.

Small finds were few and show the poverty of the people.

From the occupation débris came a quantity of bone, amongst which was identified the ox, sheep and pig. The ox bones were far commoner than the others. One oyster shell and many mussel shells were found.

Several pieces of roofing tile were found. It is doubtful if they formed part of the hut under discussion. It is almost certain that they are from an earlier building, as yet unfound.

#### OCCUPATIONAL SITE B (See Site Plan, *Fig. I*).

Twenty-five yards West of the hut floor, what seemed to be a layer of occupation soil was noticed. It showed as a black layer 4 yds. long, 9 ins. thick on the gravel, and at exactly the same level as the hut.

Time was too short to allow excavation, but trenches were cut through it North to South and East to West. A burnt layer was found with heat split stones. The only find was a fragment of Calcite Gritted Ware.

#### CONCLUSIONS.

The site is interesting in that it adds to the list of places where Native British people were living under the protection of the Signal Stations, and apparently leading the life of peasant farmers.

Other such sites in the neighbourhood are at Flixton where cook-pot rims have been found;<sup>1</sup> another is Long Whins, Primrose Valley, about one mile South of Filey. Here a large collection of Signal Station type pottery was made over an extended area<sup>2</sup>. The pottery was discussed by Mr. Hull, with that from the Signal Stations.<sup>3</sup>

#### THE POTTERY.

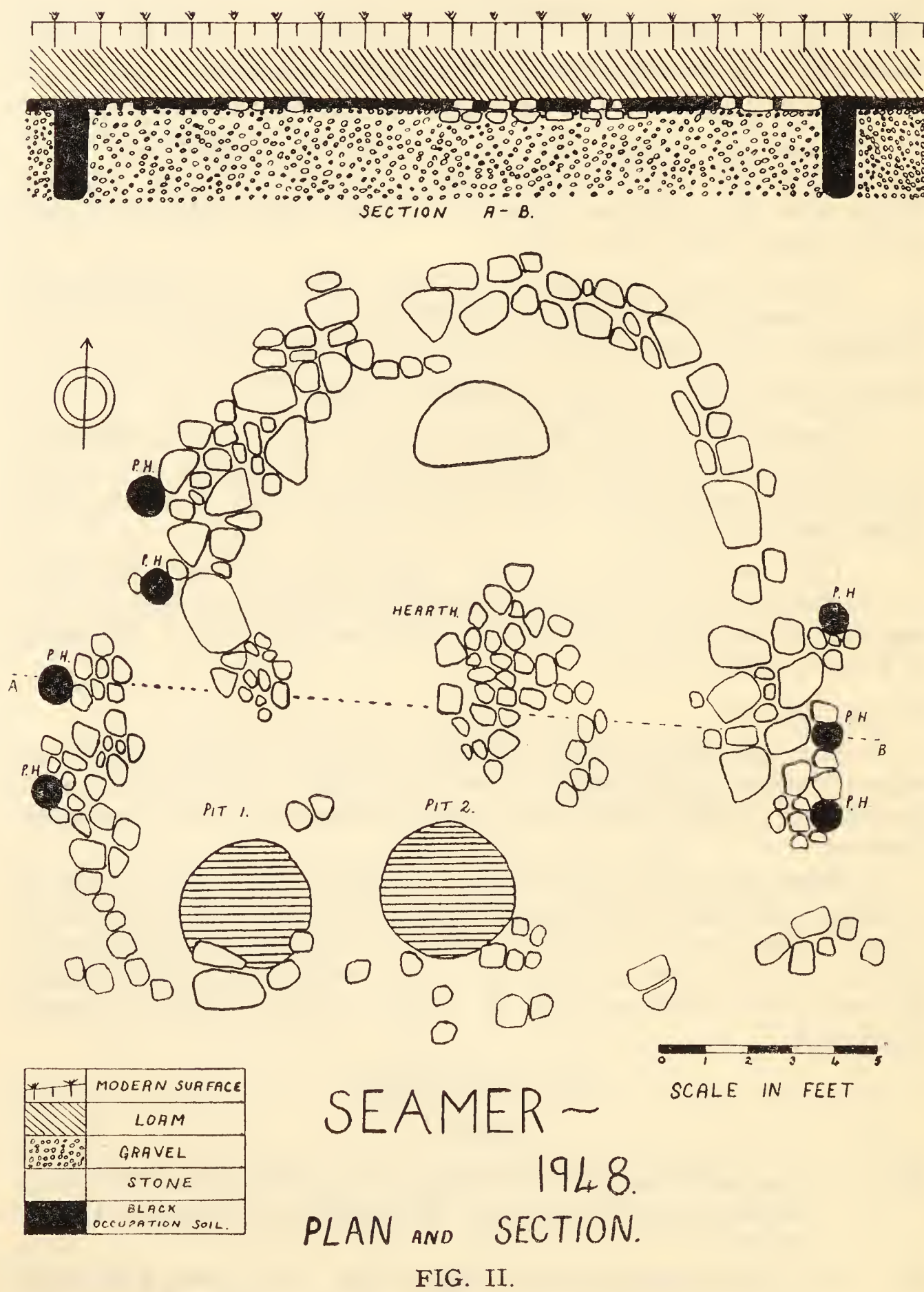
##### *Fig. III.*

- No. 1 Small Mortarium with ledged rim. Hard, light buff clay. Copious small black grit. Base, flat and beaded. Diam. 8 ins.
- No. 2 Small Mortarium with ledged rim. Very hard pale buff. Brick red paint on rim. Diam. 8½ ins. (*Hull Arch. J.* 89. Fig. 8, 2).

<sup>1</sup> Kitson-Clark, *Gazetteer Rom. Remains E. Yorkshire*, p. 84.

<sup>2</sup> *Ibid.*, p. 83.

<sup>3</sup> *Arch. Journal*, vol. 89, pp. 220-250.





- No. 3 A small fragment in the same ware as No. 2. No trace of paint.
- No. 4 Straight sided bowl with ledged rim. Fine, hard, light grey, smoothed, with burnished wavy line on the interior. Diam. 9 ins. (*Crambeck*, Pl. I, 7).
- No. 5 Hard light grey. Diam.  $10\frac{1}{2}$  ins.  
An example without the internal wavy line was black, and burnished outside. Buff at the core. Diam. 10 ins. Two examples of bowls with overhanging ledge round exterior, imitating Drag. 38, were found. Both are hard red clay, but are too shattered to illustrate.
- No. 6 Dish. Hard light grey. Convex side. Relatively thin flat base, slightly offset. Diam. 12 ins.  
Other examples in this ware occurred with straight sides. (*Crambeck*, Pl. III, 50, 51. *Arch. J.*, Pl. II, 5).
- No. 7 Large dish with knobbed rim. Hard, smooth, pale buff ware, blackened outside. No decoration. Diam.  $9\frac{1}{2}$ —10 ins. (cf. *Crambeck*, pp. 30-31. Pl. III, 58-73).  
Another example in hard dark grey had a thick, pale buff slip inside.
- No. 8 Small outbent rim of a small jar or beaker. Hard grey ware. (*Crambeck* Type 11). This type does not occur at the Signal Stations and is dated before 370, but in view of the long occupation of Seamer, may be a stray from an earlier date (*Antiq. J.* 17, pp. 403, 410-411).
- No. 9 Fragment of rim of jar. Hard sandy grey. Girth groove on neck. Diam. 4 ins.
- No. 10 Fragment of large jar; thin hard grey ware, countersunk (or loop) handles. Decorated with looped design, above a burnished zone interlaced with "pot-hooks". Other sherds of almost similar jars were found.
- No. 11 Straight sided bowl with ledged rim. A clumsy version of Nos. 4 and 5. Burnished black, large grit, pitted. Diam.  $8\frac{1}{2}$  ins. (*Hull Arch. J.* 89. Fig. 13, 3).
- No. 12 Wide mouthed bowl. Thick, coarse ware. Exterior very dark brownish grey to dirty pink. Copious grit, much pitted. Groove on top of rim. Diam. 14—15 ins.
- No. 13 Large bowl. Very dark grey. Grit, pitted. Groove on top of rim. Traces of a groove at bottom of sherd. Diam. c.  $11\frac{1}{2}$  ins.
- No. 14 Another example. Shouldered. Diam. 10 ins.
- No. 15 Bowl. Hard, dark grey. A little grit. Slightly pitted. Squared inside rim and flattened top. Groove at angle of rim. Internal diam. 8 ins.
- No. 16 Large shallow dish. Black coarse gritted ware, hand made. Diam.  $12\frac{1}{2}$  ins. (*Langton* 140).

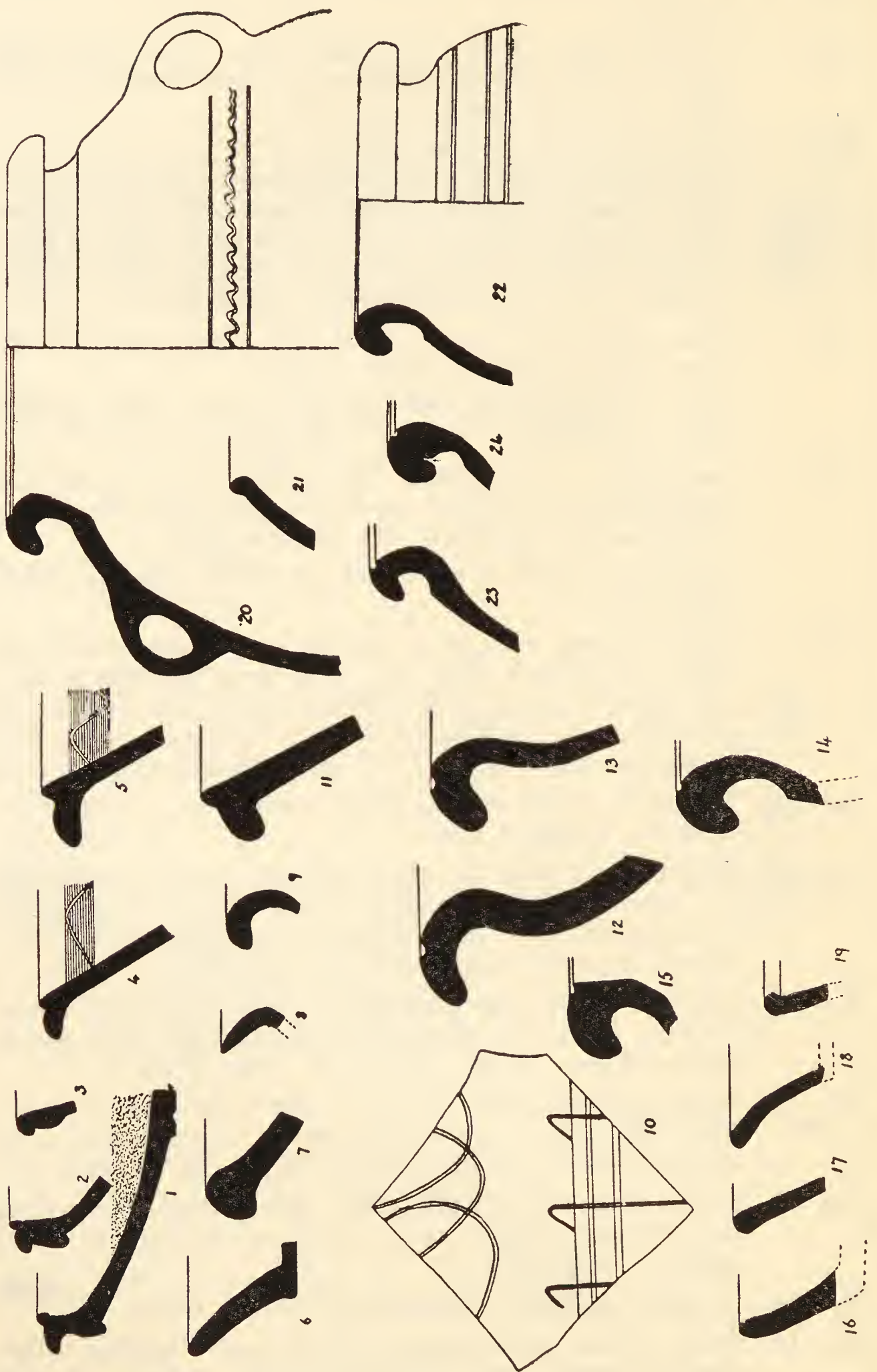


FIG. III.



- No. 17 Dish. Very slightly pitted. Black, burnished. Sooted exterior. Diam. *c.* 8 ins. (*Hull Arch. J.* 89. Fig. 14; 1, 2. Langton 141).
- No. 18 Dish. Hard black gritted with strongly curved side. Diam. at top 10 ins.
- No. 19 Straight sided dish. Hard, black, burnished. Rounded moulding inside lip. Diam. 6 ins. (*Hull Arch. J.* 89. Fig. 14; 4).
- No. 20 Large jar with two loop handles. Very hard, nearly black. Coarse grit, including small pebbles. Crudely inscribed wavy line running between handles.
- No. 21 Neckless cook-pot. Beaded rim. Dark grey. Smoked outside. Diam. 5 ins.

Nos. 22

—24 are three from the sixty or so examples of the Huntcliff Type Cooking Pots, which appeared. Basically all are the same. Decoration is an inscribed wavy line, or girth grooves, or both.

Two fragments of square rimmed jars in Knapton Ware were found. Pottery of this type was found in the Carbonised Wheat Layer and at the North East Gate at Malton (Period 4), and in the Bath flue at Langton, and therefore belongs to the Third Century. On the Seamer site they are perhaps strays from previous occupations. Examples were found in the ditch in 1947, and specimens are found unstratified.

## OTHER FINDS.

### *Fig. IV*

- 1 Fragment of Bronze bracelet. *c.* 2 ins. diam. Probably had a hook fastening (cf. Lydney No. 58).
- 2 Fragment of bronze bodkin with part of the eye remaining. Decorated with repeated pattern of spiral turns.
- 3 Jet bead. .6 ins. diam., .1 in. thick. Upper side bevelled, lower flat. Roughly hexagonal. Pierced for double thread.
- 4 Piece of polished jet. 1.6 ins. × .7 ins. × .25 ins. Shows tool marks on one surface.
- 5 Lead counter. .7 ins. diam., .2 ins. thick at edges. Hollowed in middle.
- 6 Iron knife. Tanged. 3.25 ins. long.
- 7 Upper part of Linch pin?
- 8 Piece of iron, curved at one end. May be part of No. 7. Several nails were also found.

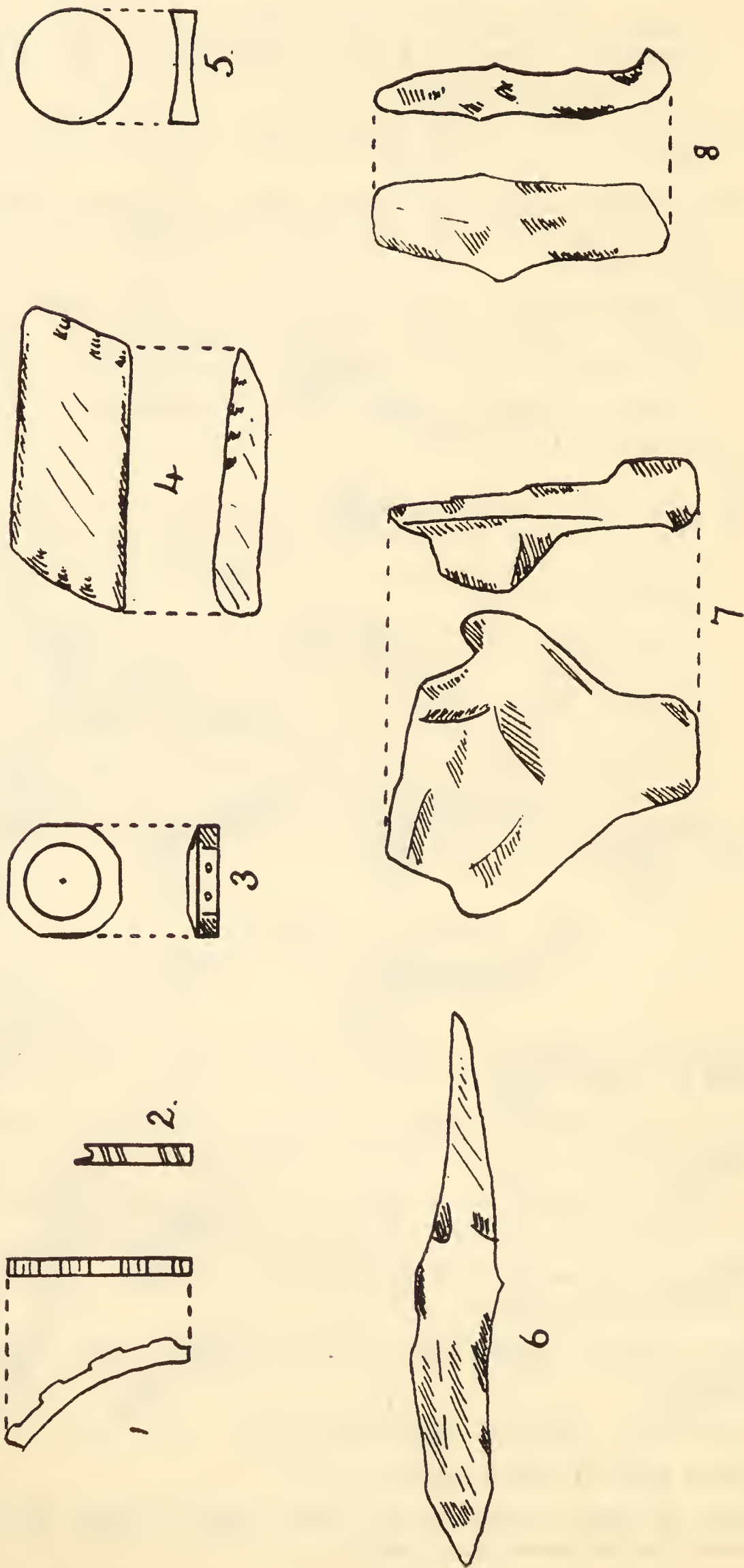


FIG. IV.



*Editor's Note.*

An interesting account of the Roman pavements at "Cockle Pits", Brantingham, is to hand, and also Notes from the Ridings. It is hoped to include all in the next issue.

There is one correction to make, and an apology to offer to Mr. R. H. Hayes, whose name was printed "Haynes" in the last number, at the foot of his interesting report of the Pottery Kilns at Malton.

**WEST RIDING.****SHEFFIELD.**

In or about 1899 road work was proceeding at the junction of Burngreave Road and Burngreave Street, and a coin was picked up by a small girl, Theresa Mary Wright, on her way to school. Assumed by her father to be Roman, the coin was carefully preserved by him, and in 1937, Miss Wright showed it to me. I persuaded her to let me get it identified, and sent it to the British Museum. I append the identification :—

Trajan Decius. A.D. 249-51  
Antoninianus.

*Obv.*—IMP CAES TRAIIVS DECIVS AVG. Radiate head to left.  
*Rev.* PAX AVGVSTA. Peace.

I asked Miss Wright to give or lend the coin to the Sheffield City Museum, but she refused. Quite recently, I got in touch with her and she informed me the coin had been thrown out in salvage.

D. GREENE.

**EAST RIDING.**

The following notes of finds, etc., were sent in by Mr. J. B. Fay, Director of the Hull Museums :—

**BRANTINGHAM OUTGANGS.**

One damaged human skull. Pottery 1st century, One piece of Samian, Form 29.

**BROUGH.****FAIRFIELD LODGE, CAVE ROAD.**

Dry wall footings, suspected of being the perimeter wall of a farm. One coin of Faustina I, pottery.

**MR. WESTROPE, CAVE ROAD. (*next to Fairfield Lodge*).**

Wall footings and mortar floor. Two coins, Claudius Gothicus, A.D. 268-70, and Hadrian A.D. 117. Bone "Pot decorator." Iron Bracelet. (Tesserae and walling reported on this site in 1912).

## KIRMINGTON VALE, CAVE ROAD.

Dry wall footings. First century pottery. Fragment of Samian Ware, Form 37. Fragment of "roughcast" beaker. Bone "Pot decorator."

## BROUGH HOUSE.

Section of northern inner ramparts of Petuaria. Excavation being carried out by pupils of Welton School, under the supervision of the Headmaster, who has all finds to date.



## Obituary

### MR. HAROLD ARNETT COPLEY, OF ROTHERHAM.

The sudden death of Mr. H. A. Copley, at the early age of 52 is a sad blow to archaeologists in South Yorkshire.

Harold Arnett Copley, elder son of Mr. W. H. Copley, of Cranworth House, Rotherham, was a native of the town, and was educated at Rotherham Grammar School. A chartered accountant, he served his articles with Hart, Moss & Co., Chartered Accountants, Rotherham, and later became a partner in the firm.

During the Great War, 1914-18, Mr. Copley served in France, Salonica, and Turkey. Returning, he took up the study of archaeology, and retiring recently from Hart, Moss & Co., he devoted his time almost entirely to this study.

Mr. Copley located many traces of early occupational sites in the Rotherham area during the last fifteen years, and his discovery of the Iron Age Fort and settlement on the Canklow Hill, overlooking the river Rother and its confluence with the Don, has shed new light upon the early history of the "Middle Don Valley," to use a phrase he coined many years ago.

The last three years of his life were spent in making a survey of the Canklow site, which he plotted with that amazing accuracy which was his outstanding characteristic. His reports and maps will be published in the *Transactions* of the Hunter Archaeological Society in the near future.

Mr. Copley was a life member of the Yorkshire Archaeological Society ; a member of the Prehistoric Society ; and of the Hunter Archaeological Society.

Of an extremely retiring disposition, he rarely attended meetings, but in 1947 he conducted the Classical Association round the Canklow Fort and settlement.

Very methodical, all Mr. Copley's finds were recorded in large books, illustrated with maps and photographs, and so he leaves behind him records which will, if published, be of the greatest value to students, and he would ask no more enduring memorial.

DOROTHY GREENE.

## TRANSACTIONS, Etc., OF YORKSHIRE SOCIETIES.

*(These publications can be seen at the Society's Library).*

*Bronte Society Publications*, Vol. 11, 1949.

*East Riding Antiquarian Society*, Transactions, Vol. 29, 1949.

*Georgian Society for East Yorkshire Publications*, 1949. Part 2,  
p. 48. *The Panelled drawing room at Winestead Hall.*

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*York Georgian Society*, Report for the year 1948-49.

## PAPERS ON YORKSHIRE SUBJECTS IN NON-YORKSHIRE TRANSACTIONS.

*The Antiquaries Journal*, Vol. 29, 1949.

Nos. 1, 2, pp. 81, 82, 83. *A bronze pole-sheath from the Charioteer's Barrow, Arras, Yorkshire*, by Sir Cyril Fox.

*British Records Association.*

Archives No. 1, 1949.

*The Monumental Brass Society*, Transactions, Vol. 8, part 1.

*Notes and Queries*, Vol. 194, 1949.

No. 3, p. 55. *The Arundel Family*, by L. L. Norsworthy.  
pp. 55-60. *The Yorkshire Arundels, III, The West Riding*  
(continued) by L. L. Norsworthy.

No. 4, pp. 73-74. *Robert Parkyn's MS. Books*, by A. G. Dickens.

No. 7, pp. 150-151. *The third of three unplaced Lumleys*,  
by L. G. H. Horton-Smith.

pp. 136-139, *Some notes on the earlier history of the family of Wilberfoss of Wilberfoss*, by Harold Wilberforce-Bell.

No. 17, pp. 360-362. "*Nostradamus's Prophecy*" (Part 2)  
by E. S. de Bee.

No. 19, pp. 405-410. *Thomas Chippendale*, by Joan Fawcett,  
City Archivist, Newcastle.



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- The story of the three parish churches of St. Peter the Apostle, Huddersfield, by Philip Ahier; Part 1 and Part 2;  $5\frac{1}{2}$  x  $8\frac{1}{2}$ ; pp. 101. 5/-.
- The Norman Settlement of Yorkshire (In Studies in Mediaeval History, by T. A. M. Bishop; presented to F. M. Powicke, pp. 1-14). Oxford Univ. Press.
- Northern Turf History, Vol. 1, Hambleton and Richmond, by J. Fairfax-Blakeborough;  $5\frac{1}{2}$  x  $8\frac{1}{2}$ ; pp. 354; J. A. Allen & Co. 42/-.
- Historic York (pictorial map); E. Clark (Cartographer); Scale to about 1' 10" to 1 mile. 2' 3" x 1' 10" Ben Johnson & Co. Ltd., York. 21/-.
- Huddersfield Highways down the ages, by W. B. Crump, M.A., 1949. Tolson Memorial Museum Handbooks, xii;  $5\frac{1}{4}$  x  $8\frac{1}{4}$ ; pp. 150; Huddersfield Tolson Memorial Museum. 6/-.
- The white rose garland of Yorkshire dialect verse and local and folklore rhymes. W. J. Halliday and A. S. Umpleby (editors);  $5\frac{1}{2}$  x  $8\frac{3}{4}$ ; pp. 337; Dent. 16/-.
- Laurence Sterne's sermons of Mr. Yorick, by L. Van-Der H. Hammond; 6 x  $9\frac{1}{2}$ ; pp. 195; Yale Univ. Press. 21/-.
- The life and times of John Sharp, Archbishop of York, by A. T. Hart;  $5\frac{1}{2}$  x  $8\frac{3}{4}$ ; pp. 352; S.P.C.K. 21/-.
- The acts and ordnances of the Company of Merchant Taylors in the city of York, by B. Johnson; 7 x  $9\frac{3}{4}$ ; pp. 172; Ben Johnson & Co. Ltd. approx. £1.
- The church in Chapel Allerton, Leeds, 1949, by G. E. Kirk;  $8\frac{1}{4}$  x  $10\frac{3}{4}$ ; pp. 93. 3/6.
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EDITORIAL NOTES.

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FINDS IN WHITKIRK CHURCH.

Removal of plaster, in August 1950, revealed in the wall of the north aisle and chapel of St. Mary's Church, Whitkirk, Leeds, a stone newel stairway of seven steps and its upper and lower doorways. This was the approach to a former rood loft, which extended across the north chapel, the chancel arch and possibly the south chapel. Whitkirk is known to have had a rood in 1526, and a loft between the church and the chancel is referred to in 1640. Though the rectangular doorways are without ornament, the steps are in very perfect preservation. Except at Batley and at Bradford (Cathedral), no other ancient church in this vicinity can show the rood loft stairway. Other examples may be hidden behind plaster and, of course, in several West Riding churches are remains of rood loft doorways.

At the same time were brought to light wall paintings, between the north clerestory windows, depicting the emblems of the Tribes of Benjamin, Joseph, Naphtali and Asher, with texts from Genesis xlix. These continue the ones uncovered in 1931—see *Y.A.J.*, xxx, 198.

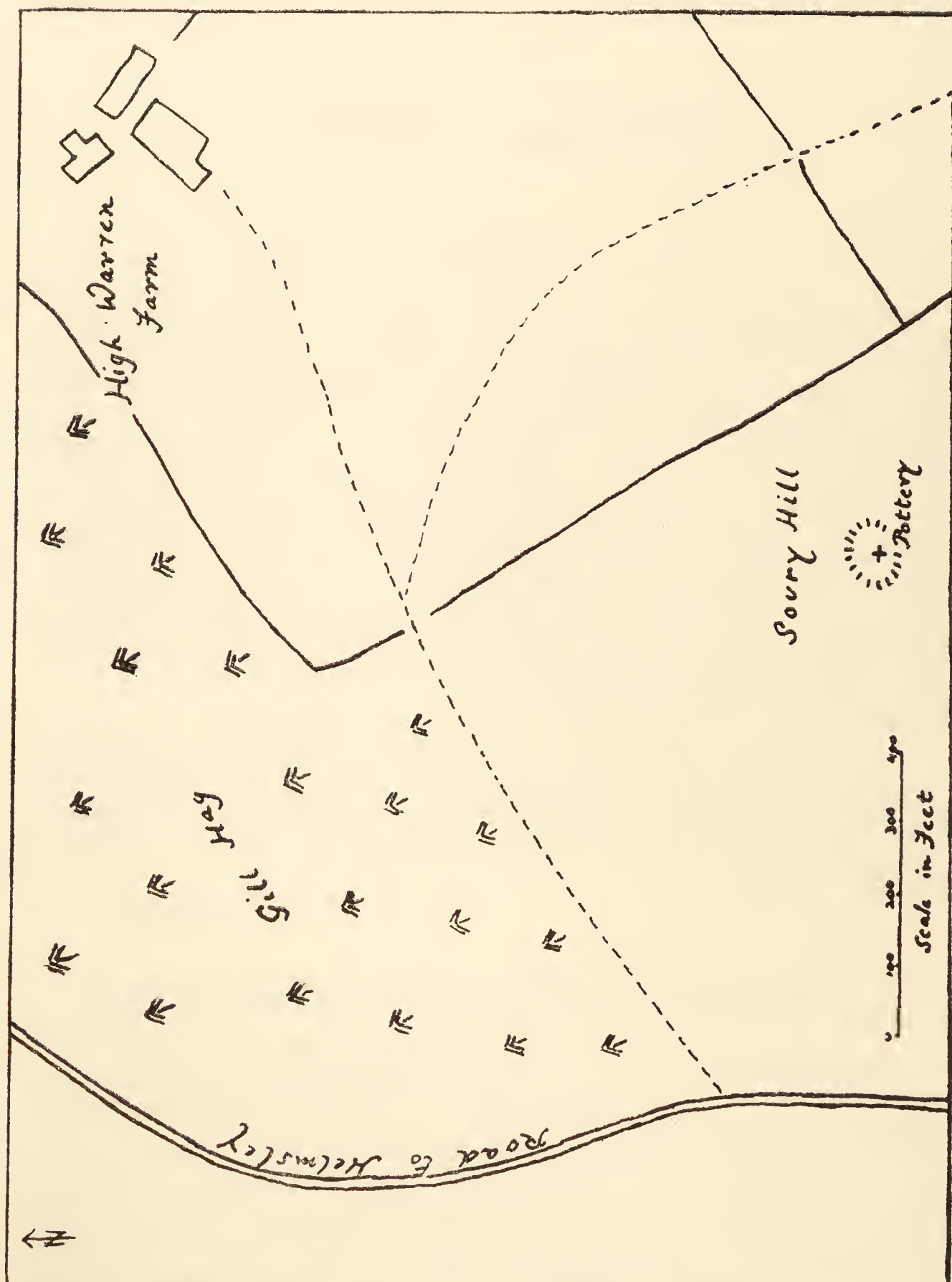
G. E. KIRK.

A LATE MEDIEVAL POTTERY SITE NEAR YEARSLEY.

The pottery shown in the accompanying photograph was excavated from a site at Soury hill near Yearsley during summer vacations in the years 1936 to 1939. Discovery of a few sherds thrown up by rabbits suggested that it might be worth while to dig a trial trench at the side of the hill. When this was done, a shallow layer of broken pottery was exposed at a depth of five to nine inches from the surface. Most of the pieces were small fragments of handles, spouts and rims, but there was one unbroken pot, and some large portions of plates and other vessels which could be put together without much difficulty.

Altogether the site yielded vessels of about ten different shapes, all belonging to the same type of coarse Cistercian ware that has been found among the ruins of Yorkshire abbeys.

Usually such pottery is found in an extremely fragmentary state, and it is seldom possible to reconstruct complete pitchers or bowls from the sackloads of medieval crockery unearthed from monastic sites.



POTTERY SITE AT SOURY HILL.

In addition to the large vessels there were pieces of very delicate pottery glazed a brilliant moss green. Some of these obviously formed parts of small handled cups, but there were not enough fragments to make out the exact shape of the vessels concerned.





PLATE I. LATE MEDIEVAL POTTERY.











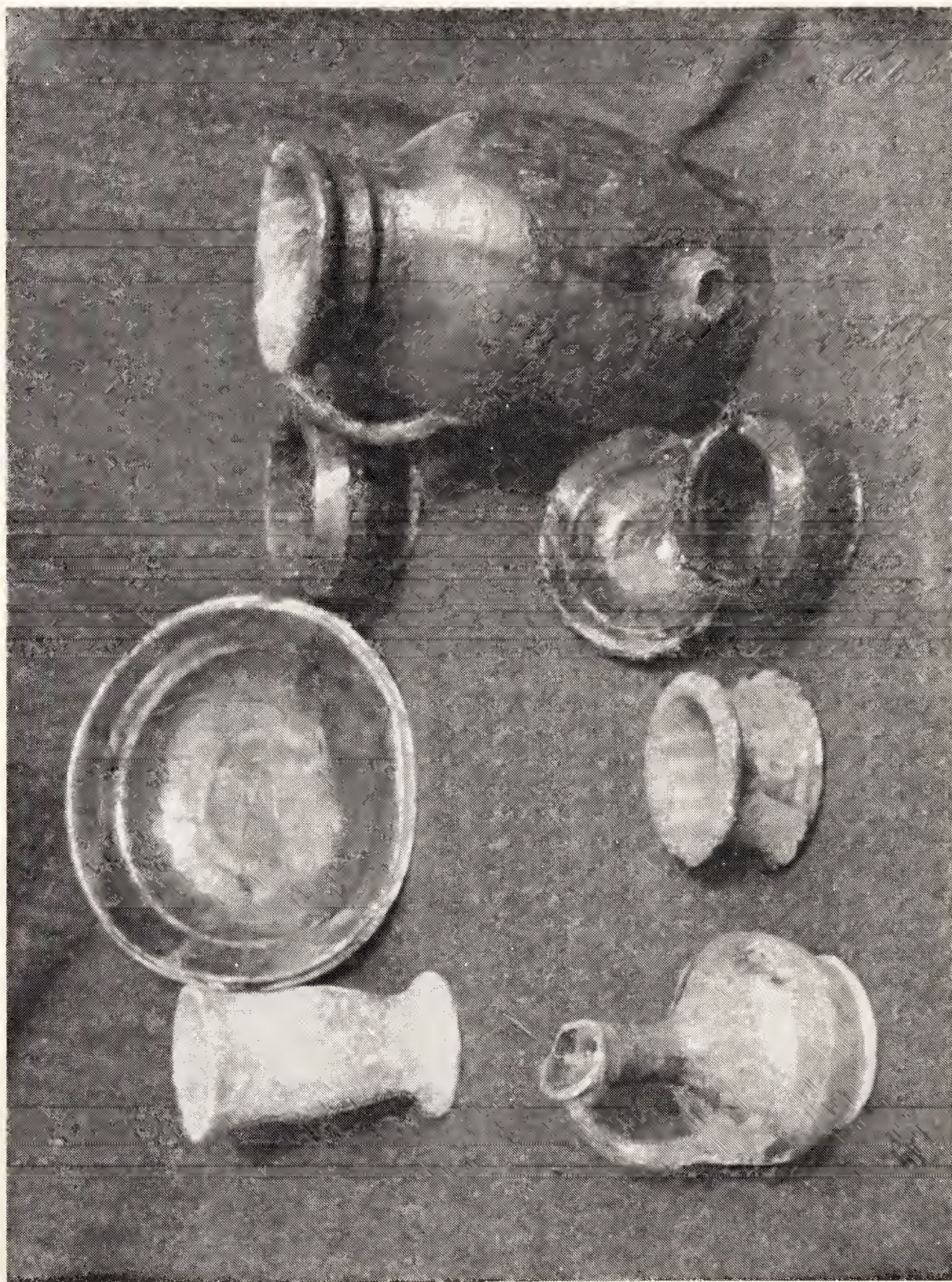


PLATE II. POTTERY FROM SOURY HILL.



The Soury hill pottery dump was evidently made up of kiln wasters, for each vessel had been injured in some respect during the process of manufacture. One small receptacle had the deep imprint of the potter's thumb on its surface, and a dish was so warped that it looked as if made from plasticine. The presence of charred earth, burnt stones, and small pieces of lead among the pottery, also suggested that the kiln must have been close at hand.

At the beginning of the excavation certain examples of the pottery were shown to Dr. Rackham of the Victoria and Albert Museum, in order to find out whether further exploration of this exposed and wind swept site would be worth the labour expended on it. Although unwilling to commit himself to dating the pottery, Dr. Rackham encouraged me to continue the investigation, and gave useful advice. He stressed the fact that there was an extraordinary variety of types, not only in different parts of England, but also in neighbouring districts of the same county. The study of medieval pottery is still in its infancy, and local peculiarities are largely unknown.

An inspection of the pottery at Byland Abbey at once revealed exact similarities in structure and glaze, some of the types being completely identical. A short, thick vessel with concave sides has several counterparts in the abbey collection. On the other hand the Rievaulx pottery only shows a general family likeness. There is not the feeling that it might have issued from the same workshop.

Unfortunately no attempts have been made to reconstruct the pottery in the local abbeys, so that most comparisons are limited to such details as the forms of rims and handles or the type of glaze. However, even a limited study of the Byland fragments is sufficient to show that the Soury hill pots must have been closely related to those of the abbey, and the date cannot be much later than the time of the Dissolution. Confirmation of this approximate dating has recently come from Dr. Honey the ceramic specialist, who gave his opinion that probably all the pots in the photograph could be ascribed to the sixteenth century.

The general characteristics of the pottery are those found in all monastic ware. The vessels are covered on the exterior or interior with the usual green or brown galena glaze. Sometimes the clay is slightly pitted, and the glaze fills the dents, giving a speckled appearance to the surface. Apart from one or two small fragments with white slip decoration, the pottery is without ornamentation.

The most striking weakness in all the Soury hill pottery is the attachment of the handles. In nearly every case the handle has snapped off at its lower point of attachment. The one or two thumb prints invariably found at the base of the handle serve to weaken the already inadequate link with the body of the pot. This weakness is particularly noticeable in the case of large

jugs, the handles of which seem to be extraordinarily feeble. Some of the pots have handles over the top in basket fashion, and these appear to be somewhat stronger than the usual type.

In the eighteenth century, pottery making was a traditional trade in Yearsley, a local family called Wedgewood being particularly famous for their products. Examples of this type of Yearsley ware may be seen in the Fitzwilliam Museum at Cambridge and elsewhere. Although there is no resemblance between the Wedgewood and Soury hill pottery, it seems possible that the later development of the craft was connected in origin with the monastic pottery making carried on in and around Byland abbey. In any case the Soury hill site provides evidence that there was a long tradition of craftsmanship in Yearsley; while the close vicinity of an abbey famed for its ceramic output suggests that a knowledge of the craft and its mysteries may have radiated from this monastic source to the surrounding villages.

S. BROOKE, M.A.

### A ROMANO-BRITISH SETTLEMENT.

In the early part of 1949 a new building estate was commenced on Bessingby Hill, Bridlington, and fragments of bone and pottery were thrown out of the trenches. Eventually the Augustinian Society of Bridlington was informed and a continuous watch was kept as trenches were dug in a large field.

This field is in an area rich in historical associations, to the North being Fonbrigg Lane, the Eastern terminus of Wold Gate, (a green way and a Roman Road). Between this road and the site, a Bronze Age Burial was noted by Shepherd in a gravel pit, whilst flints are common in all this area.

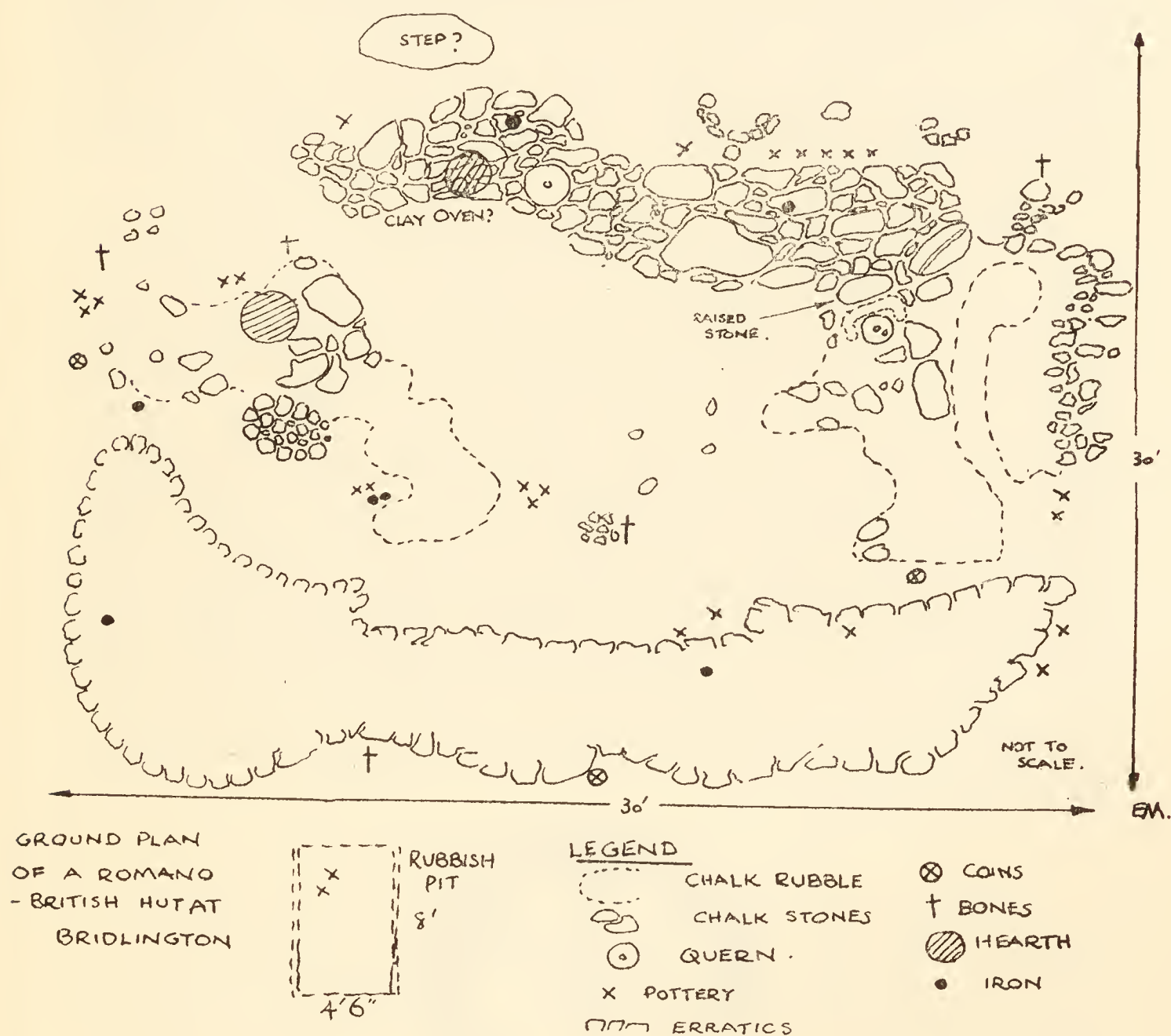
As watch was kept on trenches, a layer of irregular erratics was noted on the south side of a block of houses, and again on the northern side. These were at a depth of 15—18 inches, and as the footings were in, there was no chance of excavation, though the site was listed and the pottery marked. It was not until water mains were dug in a position well away from the buildings that similar erratics were encountered. When this new site was discovered, digging commenced in earnest; it was the fourth site to be encountered but, as it happened, the first to be really uncovered. A conjectural assessment makes it the site of a crude rounded hut which was possibly 15 inches below the ground level of those days, and approximately 27 ft. by 30 ft. Several post holes were noted on the outer edge and there was one central one.

The pavement was composed of erratics and flat chalk stones from the beach, in addition to patches of chalk rubble. One chalk stone was raised above its fellows and a quern was in front of it; there were two foot holes and it was easy to fit oneself into a position to use the quern. Corn was found in two places on this site.



There was at least one saucer-shaped open hearth, and a possible clay oven, but there were no signs of a kiln on this or any other site. Two spindle whorls were found in one place, suggesting that weaving was done, and three iron fragments were found, one being dagger-like in appearance though it was very corroded.

Many animal bones were found between and under the stones; they included the bones of horses, cattle, swine, and rabbits. Above the floor was found a part of a male jaw-bone; this, and the many marks of burning suggest a violent end to the settlement. A little Roman fused glass, very much broken



pottery, and a few Roman coins completed the finds on and under the pavement, though the middens produced some better pottery, oyster shells and a limpet shell. The coins were marked

- (1) DN VALENTINI (ANVS AVG)  
SECURITAS REIPUBLICAE. 364 - 375.
- (2) DN VALENTINI (ANVS AVG) 364 - 375.
- (3) Limitation of type Gloria Romanorum.

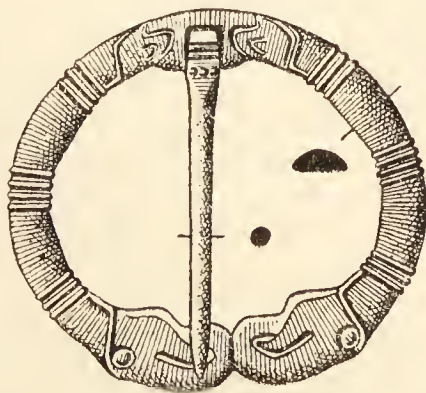
In addition to the seven pavements of this type, two human burials were uncovered by water-main diggers and in only one of them was it possible to assess the crouching position under chalk stones. From above, the burial covering was egg-shaped, 42 ins. by 24 ins.—the top layer was of erratics and the second of chalk—and in neither case was there any sign of pottery or anything accompanying the body.

The pottery found included some Samian Ware but some was similar to Iron Age type. Dr. Ian Richmond of the University of Durham very kindly identified the coins and also assessed the date of the site as approximately 375-400 A.D.—the possible Iron Age pottery being a reversionary type, probably from Knapton. The pottery included Throlam, Crambeck and Huntcliffe types. Miss Fell (of the Cambridge University Archaeology Museum), also kindly dated some of the pottery and the two decisions agreed that the date of the site was the latter end of the fourth century.

ERIC MELLOR.

#### ANGLIAN BURIAL AT OCCANEY, W.R. YORKS.

During a recent visit to the sand-pit situated on the east side of the lane from Occaney to Copgrove, about 150 yards north of the ford over the Occaney Beck [O.S. 6" Yorkshire (W.R.), Sheet cxxxvii, S.E.], Mr. and Mrs. H. F. Diggle, of Burton Leonard, noticed a human bone protruding from the working face about thirty inches below the surface which, on closer inspection, was found to comprise part of a human burial lying E. & W. in a shallow grave lined with limestone slabs. Much disturbed by a mechanical excavator, most of the grave had already fallen into the quarry, including a large stone which may have formed part of the cover. Mr. H. J. Stickland, F.S.A., who visited the site, and has provided the details of discovery, informs me that the skeletal remains were in very fragmentary condition, but suggest the presence of a young man between 25-35 years of age.



From the fallen débris, two bronze brooches<sup>1</sup> were recovered which must originally have accompanied the interment. They are identical in every respect, and were possibly originally linked together to form a pair, although no trace of any connection was recovered. They are annular in form, 1.25 ins. in diameter,

<sup>1</sup> Now in the Yorkshire Museum, York.



of plano-convex section, provided with a hinged pin turning in a square slot, the metal here broadened slightly to accommodate the perforation. The convex surface is decorated with groups of narrow transverse mouldings, and in addition with a pair of confronted animal-heads, provided with hooked, beak-like jaws and pointed chins, features which may be related to Salin's ornamental Style II. Flanking the hinge perforation are further enrichments, vaguely zoomorphic in style, which may represent a second pair of opposed animal-heads. The pin, round in section, has one end returned on itself forming the hinge, the loop ornamented by three transverse grooves above a row of tiny bosses. On the reverse of one of the brooches a cloth impression, of fairly fine weave, can be seen preserved on the decomposed surface of the metal.

In Yorkshire, brooches of this type are recorded from the Anglian cemetery at Uncleby in the East Riding, and attributed to the seventh century (Leeds, *Early Anglo-Saxon Art and Archaeology*, 98, pl. xxvii). In these, the metal is rounded in section, sometimes plain, sometimes ornamented with groups of transverse lines, and provided with confronted animal-heads in Salin's Style II. They are somewhat smaller than the Occaney examples, and of less robust construction, and the pin, instead of rotating in a slot, is merely turned over the ring of the brooch.

Historically, the presence of the Occaney burial may be regarded as an indication of the absorption of the British kingdom of Elmet by Edwin of York before his death in A.D. 633. Until this time the western limit of Anglian Deira would appear to have rested on the line of the Great North Road (see Mary Kitson-Clark in *Y.A.J.*, xxxi, 329) and the present discovery fully substantiates the scanty evidence that archaeology has hitherto provided to illustrate the event.

D. M. WATERMAN.

#### HALIFAX ANTIQUARIAN SOCIETY'S JUBILEE.

November 7th, 1950, marked the 50th Anniversary to the very day of the founding of the Halifax Antiquarian Society. It was celebrated by a dinner at the Alexandra Hall, Halifax, where a goodly company of some 150 members and friends gathered together. Not one of its four original founder members is alive to-day, but two at least, mainly the late John Lister, Esq., of Shibden Hall, Halifax, and Hugh Kendall of Sowerby Bridge and latterly of Whitby, rendered good service to this Society and to Yorkshire archaeology. Our Society was represented at the dinner by the Hon. Editor, who is also a Vice-President of the Halifax Antiquarian Society, and was the proposer of the toast "The Town of Halifax".

## An attempt to determine the original arrangement and contents of the windows in the Western portion of the choir of York Minster

By JOHN A. KNOWLES, F.S.A.

The Lady Chapel and the choir at York were built in two different undertakings. The first, consisting of the four eastern bays, was erected between the years 1361 and 1400, and the second, comprising five western bays, between 1400 and 1420.<sup>1</sup>

Speaking in general terms, the windows of the Lady Chapel seem to have been filled with glass more or less as soon as the stonework was ready to receive them, and they range from Late Decorated, through Transitional, to early Perpendicular. But the windows of the western bays, which alone concern us here, appear to have been carried out under one comprehensive scheme and executed, as far as practical considerations permitted, at one and the same time. The windows in the clerestory have already been fully described.<sup>2</sup> We shall therefore, in the following enquiry, confine ourselves to the consideration of those in the aisles below.

The first writer who, apart from describing the contents of each individual window in the clerestory, pointed out that there was a unity of idea and general scheme in the choice of figures running through them all, was the Rev. Chancellor Harrison.<sup>3</sup>

Chancellor Harrison gives the credit for this to "*the designer of the window*" though it is more likely it should go to the ecclesiastical authorities. The glass-painters would have neither the scholarship nor the theological equipment for a task calling for so much erudition, but would merely carry out a scheme of figures and subjects which was supplied to them by the Dean and Chapter.<sup>4</sup>

Speaking of the tracery lights of these windows he remarked "that there was in each window a regular and symmetrical plan of arrangement for the numerous small figures that filled these lights".<sup>5</sup>

<sup>1</sup> The actual extent and the dates of these different erections have been the subject of disputes which engendered more heat than light, and need not detain us here.

<sup>2</sup> The West Choir Clerestory Windows in York Minster. Rev. Chancellor Harrison, *Yorks. Archaeol. Journal* VOL. XXVI, 1922, p. 361.

<sup>3</sup> *The Painted Glass of York*, p. 93.

<sup>4</sup> There is a set of instructions of this kind, time of Henry VII, instructing a glass-painter how the various figures in a window in the Grey Friars Church at Greenwich were to be represented, of which the following are typical examples:—(*Brit. Mus. Egerton M.S. 2341B*) "*Nothus a monke and broder to Kyng Allovered. Make him in Habbyte of a monke wt a myter on his hed a crosse in his ryght hand and a croune hanging about his lefte arm*" etc. *Oswalde Kyng and martyr*

*Make him crowned wt an open croune in the abbyte and roobis royalle of a peasyble King wt a berd*" etc.

<sup>5</sup> *The Painted Glass of York*, p. 93-94.



The way having been pointed out, the path can be followed to the end, and further study points to the conclusion, that not only the glass in the clerestories, but the whole of the windows of the west portion of the choir from the small transepts to the great tower, comprising three in the north aisle and the three facing them in the south, and the four windows on either side in the clerestory above, originally formed a complete and carefully-thought-out scheme of figures and subjects as had previously been done in the case of the Great East Window, and were executed, as far as practical considerations permitted, at one and the same time.

This also was the opinion of Chancellor Harrison. "The archiepiscopate of Henry Bowet (1407-1423)" he wrote "is almost certainly the period to which all these windows, with four in the western portions of the aisles of the choir belong".<sup>1</sup>

Indeed, three parts of this scheme, comprising the three windows in the north aisle and the four windows on each side of the clerestory, are extant,<sup>2</sup> and of the three windows in the south aisle which are missing, very considerable remains are to be found spread about in various other windows, notably two in the Lady Chapel.

The three existing windows are all together, immediately as one enters the north aisle of the choir.

They are

- (I) The Bowett Window (Archbishop Bowett 1407-1423).
- (II) Parker (Thos. Parker Prebendary of Ampleforth, 1410-1423). (Plate 1).
- (III) Wolveden (Robert Wolveden, Treasurer 1426-1432).

These three donors are the only persons whose names are known and who can be directly connected with the gift of windows in the western bays of the choir. But there were evidently others of whom some slight indications are to be found in the remains of the windows which we may presume they had presented. One of these was probably Thomas Walworth, Canon Residentiary, who died in 1409, and whose arms are shown in the first window from the west in the north clerestory of the choir.

He was a brother of the famous Lord Mayor of London and had been Vicar-General to Archbishop Scrope, to whom, like Prebendary Parker, he was evidently greatly attached, for they both desired that their mortal remains should be laid as near to those of the late Archbishop as possible. At the right-hand side of the *Baptist in Prison* panel (Plate 4)—which will be described in greater detail later—is a border of large capital W's. Until about twenty years ago, there was the same border to the bottom panel of the left-hand light of the Parker window. These

<sup>1</sup> *The Painted Glass of York*, p. 95.

<sup>2</sup> It would needlessly confuse the text at this stage to notice all minor exceptions to the above statement. One of these clerestory windows is, of course, a modern copy.

two would, together, amount to about six foot run of border of this pattern. Also at the top of the *Baptist in Prison* panel (Plate 4) is a large rebus or monogram upside down, which may have been intended for the letters T. W. for Thomas Walworth, and originally have filled the extreme top of a light in the same way as the letters R. W. on either side at the top of the Robert Wolveden window.<sup>1</sup>



MONOGRAM.

Probably that of Thomas Walworth,  
Canon (d. 1409).

Between these initials is a device representing a knot or bow tied in ribbon. It looks more like a bow than a knot, in which case it may be a rebus for Bowett. If a knot was intended, it may refer to John Nottingham, Treasurer who died in 1418. It may be significant or not that Walworth at his death in 1409, Nottingham in 1418, and Wolveden in 1432, each left a sum of £20 to the fabric without mentioning anything about a stained glass window. Whether these sums were devoted to paying for windows or not, it is impossible to say.

The general scheme of figures and subjects in the Bowett, Parker and Wolveden windows—and as we shall endeavour to show later in the course of this enquiry, in the three missing windows facing them—seems to have been as follows. At the top was a large figure of a saint, and under this two scenes from his life, ending with a representation of his martyrdom in the bottom panel. Thus in the Bowett window, we get two complete examples of the plan still existing in their entirety :—

Large figure of  
St. Paul  
Conversion  
Preaching  
Martyrdom.

Large figure of  
St. Peter  
Walking on the sea  
In prison  
Martyrdom.

<sup>1</sup> The first letter looks more like a C than a T and there is a very similar large W crowned in the border of one of the windows of St. Cuthbert's Church, Peasholme Green, York, which, if it refers to the same person would lead to the conclusion that the window was paid for by a civilian and not by Canon Walworth. On the other hand in the east window of Holy Trinity, Goodramgate, which is some fifty years later, the capital T in the *Te adoro* inscription, and the G in the name *Georgius*, are exactly alike.



PLATE I.



PARKER WINDOW. Second from West, North Aisle, Choir.  
St. John of Beverley, St. Thomas of Canterbury and St. William of York.







Knowing the above formula, and given a subject from a missing window, it is possible to deduce with a fair amount of accuracy what the other panels in the window represented.

Whenever possible the saint was depicted either as preaching or saying Mass. But for obvious reasons this could not be done where the person represented happened to be a King or a deacon. Nor was it always possible to include a martyrdom in cases where the saint had not suffered death for the faith. But as a general rule the above rule was closely followed. St. Paul, St. Paulinus and St. Stephen were all depicted preaching. There are three bishops and archbishops celebrating Mass. There are eight martyrdoms, and probably there were originally several more.

The three windows in the south aisle, facing the Bowett, Parker and Wolveden windows and which have been referred to above as 'missing' are now filled with :—

- (1) A late Decorated window of Old Testament Prophets and scenes from the Life of Our Lord. This has come from some other place, and has been widened out to fit the stonework.
- (2) A very beautiful window of the Perpendicular period representing St. Joachim and St. Anne and their family. Whether this window formed a part of the series of windows under discussion or not it is difficult to say, and the subject requires further research. The canopies are not of the same design as those in the Bowett Parker and Wolveden windows opposite.
- (3) Portions of a very early Perpendicular Jesse Tree, which recent evidence points to its having been brought from the west window of New College, Oxford, now filled with the *Nativity* and *Christian Virtues* by Sir Joshua Reynolds.

There can be little doubt that these three windows were originally filled with glass at the same time, and of the same design, and with figures and subjects to match those now facing them in the North aisle, viz. the Bowett, Parker and Wolveden windows for the following reasons :—

- (1) Panels exist which evidently formed parts of these windows in the south aisle, and which have been painted from the same cartoons as were used to illustrate other but similar scenes in the windows of the north aisle. Thus a cartoon of *St. Peter in Prison* in the North aisle (Bowett window) has again been used with slight changes to illustrate the *Baptist in Prison* which was presumably the subject in one of the lights of a similar window in the South aisle. (Plate 4).
- (2) A cartoon used in the Bowett window (North aisle) to represent the *Decapitation of St. Paul*, has again been used, to depict the *Decollation of the Baptist* which

evidently formed one of the subjects in a window originally facing it in the South aisle. There can be no mistake about the similarity between the two, in spite of the fact that the example in the Bowett window is very fragmentary. The executioner in tights, the severed head of the saint on the ground, the streams of blood spurting from the neck, the soul ascending to heaven and the figure of a king looking on, are identical in both panels.

If, therefore, there are reasons for believing that the three windows in the South aisle, whilst differing in subject were, originally, identical in design and similar in treatment to those in the North, there are further grounds for the belief that they were all executed at practically one and the same time.

The large figures in the Bowett window representing St. Peter and St. Paul could not very well be used again. But the cartoons for the Bishops and Archbishops in the Parker and Wolveden windows could easily be adapted to represent other personages. And so we find that the drawing for St. Thomas of Canterbury in the Parker window has been again used to represent St. Chad in the Wolveden window ; St. John of Beverley becomes St. Paulinus : and St. William of York, St. Nicholas.

If, therefore, the subjects in the windows of the South aisle were painted at least in part from drawings made for the windows on the North (or vice versa) and the large figures in the North were executed more or less from the same set of cartoons, it is a natural inference that they were all executed at one and the same time.

The date of the glass, which can be fixed within fairly narrow limits, tends to support the above view.

Archbishop Bowett made his will in Sept. 1421, in the name of the Trinity, the Blessed Virgin and S. Peter and S. Paul.<sup>1</sup> He makes no reference to the window, although the above saints are those which are depicted in it. Nor does he mention it in the inventory of the vestments and other rich gifts which he bequeathed to the Minster. But, as likely as not, it was at that time already ordered and being made, for the Archbishop died in Oct. 1423, and an imperfect inscription on the window. "Ora . . . . . Hen. Bowet Arch Eborum" shows that when it was completed and fixed, the Archbishop was no longer alive.<sup>2</sup>

<sup>1</sup> Test. Ebor i, 398.

<sup>2</sup> Benson (*Painted Glass in the Minster and Churches of York*, p. 94 and note in describing the Bowett window) states that in the borders are shown "full faced wolves' heads argent, the badge of Robert Wolveden, Treasurer of the Minster". This is doubtful. It is unlikely that the Archbishop would introduce into the border of his own window, so pointed a reference to a man who did not become Treasurer of the Church until three years after he (the Archbishop) was dead. Nor are the heads anything like those of wolves, which, as every child knows from Red Riding Hood picture books, are animals with a long pointed snout, and as such they are shown in the Wolveden arms in the east window of the South Transept of the



Thomas Parker, the donor of the second window, besides being Prebendary of Ampleforth was also Rector of Bolton Percy, which church he largely re-built. In the side windows he evidently devised windows with stained glass figures of Sainted Bishops and Archbishops which are still to be seen collected into the East window, and which were painted from the same drawings as the figures of the saints in his own and the Wolveden window in the Minster. He died in the same year and probably the same month, as the Archbishop; and like him, evidently left the windows ordered but not completed, for he makes no mention of them in his will, whilst bequeathing vestments to the High Altar of Bolton Percy. The re-building of the church must then have been nearing completion but not finished, as it was not re-consecrated until the following year, 1424.<sup>1</sup>

The donor of the third window, Robert Wolveden, Treasurer of The Minster, died nine years after Archbishop Bowett and Prebendary Parker. In his will he too makes no mention of the window, so that it is probable that it had been fixed some years previously at the same time as the other two.

The completion of these windows can therefore be put between the death of Archbishop Bowett in 1423 and the re-consecration of Bolton Percy Church, in the following year. The amount of work in these windows, fourteen in all, would prove by no means an impossible task. No doubt many of the staff, who, eighteen years previously, had turned out the huge east window in the short space of three years, afterwards worked on these windows, and, still later, after their completion, on the St. William window, which is usually ascribed to the year 1422.

There are two windows in the Lady Chapel which appear to contain subjects which were probably originally in the 'missing' windows in the North aisle of the choir.

These are :—

- (a) The North-east window of the Lady Chapel.
- (b) The window fourth from east in the South aisle of the Lady Chapel.

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Choir (Illustrated in Browne, *Glass in the Windows of York Minster* No. 382 facing p. 240). These heads are round and have indications of a mane, and are undoubtedly intended to represent lions. Moreover lions' heads were a common decorative feature long before this, and as such they are to be seen in the borders to the Transitional window (third from east South aisle) of the Lady Chapel. (Illustrated in Day *Windows* p. 186).

<sup>1</sup> The description of the above glass in the *Victoria County Histories, Yorkshire. VOL. III, p. 41* is most misleading. It is there stated "The east window was filled about fifty years later" (than the date of re-consecration 1424) "with stained glass, in the lower lights are full-length figures of Archbishop George Nevill, and his predecessors, Scrope, Bowett, Kemp & William Booth." The figures are those of canonised medieval saints with nimbi, some of them are Bishops not Archbishops. The heraldic arms of the Archbishops of York in the base of the lights have no connection whatever with the saints above.

The North-east window of the Lady Chapel (Plate 2), in other words the window which faces the spectator as he walks down the north aisle towards the east end, appears at first sight as a complete and harmonious design. In the tracery are seated figures of St. Stephen and St. Lawrence, in the main lights is a large representation of the Crucifixion with the Blessed Virgin and St. John. In the base are four scenes which are generally described as episodes in the life and martyrdom of St. Stephen. The lights are surrounded with borders of uniform design and workmanship, and the window is situated in a chapel dedicated to the honour of St. Stephen. But closer study leads to the conclusion that the window, instead of being a complete entity, is very probably made up of panels from three, or even four separate windows.



BORDER OF LIONS' HEADS.

Lady Chapel, South Aisle,  
Third from East.

*From Day Windows.*

The date of the glass is about 1424 for the borders of suns, lions' heads and leaves, are very like the suns, lions' heads and scrolls in the border of the Wolden window. It is extremely unlikely that this window, situated as it is in one of the most prominent positions in the Lady Chapel, would have remained unfilled with glass, until all the other windows in the side aisles, which follow closely in style and date upon the stonework which they fill, had been placed in position. It is therefore probable that it originally formed part of the series in the west end of the choir of which the Bowett, Parker and Wolden windows are survivors, and was at some time moved to the position it at present occupies. The glass which originally filled this opening, would undoubtedly be of the same date and type of design as the corresponding window which still exists at the end of the opposite aisle. In other words, they would most likely form a pair, one on either side of the great east window.



PLATE II.



EAST WINDOW. North Aisle, Lady Chapel.

Crucifixion, a Female Saint and St. John Ev. (cut down to fit).

BELOW. LEFT-HAND LIGHT, Martyrdom of St. Stephen. St. Stephen preaching.  
(These scenes are in the wrong order and should be reversed with the  
martyrdom subject at the bottom).

RIGHT-HAND LIGHT, St. Lawrence before the tyrant DECIUS, and a King and  
Queen at a shrine. The last, and the fourteenth-century figure of a pilgrim  
in the centre light, do not belong to the window.







The scenes representing St. Stephen preaching and the martyrdom of the saint can have had no connexion whatever, from the point of view of gospel narrative, christian teaching, nor legendary art, with the Crucifixion scene above. We have already shown that according to the general scheme of figures and subjects the scenes of *St. Stephen Preaching* and *St. Stephen suffering Martyrdom* would require a large figure of the saint himself above. Such a figure no longer exists, but that it was actually there in the window at the end of the seventeenth century, there can be no doubt as James Torre, the antiquary gives a description of it. Torre's accounts of what he saw, cannot in many cases be relied upon, as they are not sufficiently detailed to provide reliable evidence. But in this case there can be no mistake. He wrote :—

“In the third light in a tabernacle” (i.e. under a canopy) “a large image of St. Stephen habited B and sanguine—O, glory A and O, holding in his hands a golden book with silver clasps”<sup>1</sup>

The left hand light therefore followed the general scheme and consisted of :—

Large figure of St. Stephen  
St. Stephen Preaching  
Martyrdom of St. Stephen.

Since in medieval art, and particularly in stained glass, the two deacon saints, St. Stephen and St. Lawrence, are generally shown together, we should expect that the right-hand light originally contained a large figure of St. Lawrence. This view is supported by the fact that in the tracery above are shown two seated figures, St. Stephen on one side, and St. Lawrence on the other. Beneath the large figure would be two panels, one representing a scene from his life, and the other his martyrdom. The two scenes at present in the window are generally described as :—

St. Stephen accused  
King and others at a Shrine

In the top panel (Plate 3) according to Benson,<sup>2</sup> “The saint is shown in the custody of two soldiers wearing plate armour and vizored helmets, and stands before Caiaphas the high priest \* Two soldiers kneel, one with head uncovered” who Browne adds, “is seemingly regarding the countenance of the saint”. This description is not altogether correct. The kneeling soldier is gazing

<sup>1</sup> MS by James Torre, Antiquary, in York Minster Library written between 1670 and 1687. The signs he used to indicate colours are as follow : B=Blue, O=or, A=arg. The above conjecture receives additional confirmation from the fact that Torre saw and described *another* figure of St. Stephen in the glass of the Lady Chapel. This, together with representations of St. Christopher and St. Lawrence was in the north side of the clerestory, second from East. Chancellor Harrison (*Painted Glass of York*, p. 28) suggests, undoubtedly rightly, that these are the figures now to be seen in the south aisle of the Nave, under canopies designed by Browne and executed by Barnetts of York in 1846. Three panels which probably formed part of the original canopies of the nave window, are at the bottom of the ‘Scrope’ window, fourth from east in the North aisle of the Lady Chapel.

<sup>2</sup> *Ancient Glass in York Minster*, p. 78.

up at the face of the tyrant and is evidently pleading for the saint who is shown standing with hands bound, behind him.

But the writer's father, the late J. W. Knowles, a most painstaking and careful observer, who had made a close study of the glass at various times extending over a long life-time<sup>1</sup> wrote that the scene represented is not *St. Stephen before Caiaphas*, but *St. Lawrence before the tyrant Decius* (Plate 3). One of the soldiers has a small representation of a grid iron engraved upon the visor of his helmet. The kneeling figure would be intended to represent St. Hippolytus, the Roman soldier who was so moved by St. Lawrence's bearing and fortitude before his accusers, that he, his old nurse, Concordia, and nineteen of his family were converted to the faith, for which they all suffered martyrdom. In mediaeval art miniature grid irons were frequently depicted in representations connected with St. Lawrence. Mrs. Jameson states "Sometimes a little grid-iron is suspended round his neck, or he holds it in his hand, or it is embroidered on his robe."<sup>2</sup> The panel underneath represents a King and others at a shrine. Attempts have been made to connect this with other panels in the window, but as only two panels were at the disposal of the designer in which to depict scenes in the life of a saint, only the most striking events would be chosen. In this case there can be little doubt that the subject would be the martyrdom of the saint, to balance the *Stoning of Stephen* in the opposite light.<sup>3</sup> The scene of a king and queen at a shrine could hardly be even remotely connected with the history of either St. Stephen or St. Lawrence. The panel therefore must have come from somewhere else. It would seem therefore that the window has most probably been made up of panels from three other windows.

<sup>1</sup> MS. description of the Minster windows, Vict. & Albert Museum Library. First draft in York Public Library VOL. III p. 195. The present writer, when a boy, used to accompany his father whilst he was making sketches and notes on the glass, on summer evenings from the 'Fleet'. This is a travelling scaffold of three stages on wheels, which was pushed up against the windows for cleaning and dusting the capitals of the pillars. How this erection, thirty feet or more high, was got through the gates and into the side aisles of the choir and Lady Chapel it is difficult to say, but that this actually occurred, is shown by the fact that photographs are extant of panels of the Great East window which were taken from it, as well as the camera, an early half-plate model made by Lancasters of Birmingham. It would be impossible to obtain these photographs from the floor level by means of such a primitive apparatus. The present writer has found his father's description of the glass most valuable, as without it he would have been unable to check the conclusions arrived at in the above paper.

<sup>2</sup> *Sacred and Legendary Art*, pp. 542 & 547.

<sup>3</sup> As an example of how panels have been shifted about from one window to another; the late Decorated figure now at the bottom of the centre light of this window, was not there in Torre's time. He wrote "In the lowest row second light is the picture of a cart with two wheels"; 'two wheels' may be a slip for 'two horses'. There is a panel under the figure of St. Nicholas in the Wolveden window in the north aisle of the choir, which represents a cart with two horses. Thomas Gent writing in 1730 (*Hist. of York*, p. 149) describes two panels in the third light which are not there now "St. Augustine conversing with King Ethelbert, King of Kent" and "King Edwin married to Queen Edilburga."



PLATE III.



EAST WINDOW. North Aisle, Lady Chapel, York Minster.

St. Lawrence before the tyrant DECIUS.







The window has been so much made up from parts of others, that it is difficult to say which are original. The canopies and the four panels in the base are undoubtedly York work ; the figure of the Blessed Virgin is very much patched. Her cloak is lined with ermine and the under robe is purple; these emblems of royalty would be more appropriate to St. Catherine than to the Virgin at the Crucifixion. She holds what appears to be the stump of the palm branch of a martyr.

St. John has originally been on a much larger scale than he at present appears, as shown by the size of the head, and to squeeze him in between the canopy above and two panels below, nine or twelve inches of the drapery covering the lower part of the trunk has been eliminated, so that the waist rests where the top of the legs would be. He is not holding the book, it has merely been leaded in so as to touch the tips of his fingers.

It might be asked, in trying to arrive at the truth in this very thorny subject, if the window is made up of panels from other windows, how is it that the borders are continuous and of one style of design throughout the three lights? The explanation probably is that in making up a window from panels already glazed, they are not inserted into the borders down either side, but the borders are glazed up against them. There must have been very long lengths of border intact, which had been saved from windows which we know were formerly to be seen in the Minster, but which were almost wholly destroyed from 'cannon bullets' during the siege of York.<sup>1</sup>

There would be approximately 36 yds. run of border to each window and unless a cannon ball hit a mullion, the borders, through being embedded in the stonework, would suffer less than the panels in the middle of the lights.

The window appears to have been repaired (and probably arranged) by William Peckitt, the York glass-painter who died in 1795. Parts that were missing he evidently made out with his own work ;

E.g. Two small kite shapes at the top of the tracery have been filled with an XVIII cent. checquer pattern of red and green glass, and missing pieces of the central stem in the outside borders have been filled with a deep yellow glass. At least one of the suns has been copied, but instead of being stained all over

<sup>1</sup> The passage from Thomas Mace's *Musick's Monument* has been frequently quoted. The following is taken from Dr. James Fowler's *St. William Window, Yorks. Archaeol. Journal VOL. III*, p. 205. Mace, who was present during the siege in 1644, stated that the besieging armies had planted their guns mischievously against the church "with which contantly in *Prayers time* they would not fail to make their *Hellish disturbance* by shooting against and *battering* the *Church* in so much that sometimes a *Cannon Bullett* has come in at the windows and *bounc'd* about from *Pillar to Pillar* x x x backwards and forwards, and all manner of sideways." It is probable that the eleven panels which were missing in the St. Cuthbert window and which were filled with modern work by the writer's father, J. W. Knowles in 1887-8 were broken out by the besieger's 'Cannon Bullets'.

with a pale yellow, it has been stained a deep orange in the centre only. The same applies to a section of part of the wing of one of the angel-musicians in the tracery. This is precisely what one would expect in work of that period when Kelp glass, which takes silver stain fiercely, was in general use.

We will now cross over to the South aisle of the choir to examine some panels in the fourth window from the east end, in other words, the window on the left of the large St. Cuthbert window.<sup>1</sup> This contains a miscellaneous collection of panels of various styles and dates, several of which do not concern the present enquiry as they are either plain geometric work, or of earlier or later date, or of a different type of design.

The following are the titles attributed to the subjects of each panel by Benson.<sup>2</sup> They have been numbered for easy reference in the same order as given by Browne.<sup>3</sup>

1	7	13
Archbishop at Mass	Ascension	Archbishop at Mass
2	8	14
Descent of the Holy Spirit	Two Ecclesiastics at Prayer	Murder of St. Thomas a Becket
3	9	15
Confused	Mutilated	Jesus marched from Annas to Caiaphas
4	10	16
Lower Part of St. Christopher	Derision of Christ before Pilate	Jesus in Prison
5	11	17
Martyrdom of St. Edmund	Martyrdom of St. Paul before Nero	Jesus before Pilate
6	12	18
Blank	Arms	Blank
	Archbp. Lamplough	

As regards the architectural surroundings to those panels which we have to consider, Nos. 4, 6, 11 & 12 are alike and have angels looking out of the side arches in the shaftings, and Nos. 5, 8 & 9 are alike and have a lion couchant on each pendant. Unfortunately though the architectural framings of these two sets of panels agree, the subjects they enclose do not, but represent diverse scenes and personages which cannot in several cases be connected with each other.

The following descriptions and attributions of subjects are those given by Browne p. 194<sup>4</sup> and Benson p. 70<sup>4</sup> because these

<sup>1</sup> The actual glass, having been taken out for safety during the war, is not at present available for study.

<sup>2</sup> *Painted Glass Windows in the Minster and Churches of York*, p. 70.

<sup>3</sup> *Representations and Arms on the Glass of the Windows of York Minster*, p. 194.

<sup>4</sup> Browne's book, which is dated 1859, was not published until 1917 (It is dated 1915 on the frontispiece and 1917 on the title page) but the MS was available in the York Minster Library, and Benson in the preface to his book, published in 1915, acknowledges his indebtedness to it.



two accounts are practically identical, indeed Benson has in many cases copied his description word for word from Browne.

No. 5. *Martyrdom of St. Edmund*. This would be a bottom panel with either one or two scenes from his life, and a large figure of the Saint above. As St. Edmund is usually shown with the two other canonized Kings, St. Edward and St. Oswald, and figures of these saints were actually in the window when Torre described the glass, there can be little doubt that these were the original subjects.

No. 10. *Derision of Christ before Pilate*.

No. 15. *Jesus marched from Annas to Caiaphas*.

No. 17. *Jesus before Pilate*.

Although it would be hazardous to express any definite opinion (as the glass, having been removed for safety during the war, is not at present available for study), yet judging purely from the point of view of similarity of subject, it may with diffidence be suggested that these scenes of the Passion may originally have formed part of the Crucifixion window in the east end of the North aisle of the Lady Chapel, which, as we have already shown, is now filled with scenes of the martyrdom of St. Stephen and St. Lawrence. Further study at close quarters, may however, prove the above theory to be untenable, and it is here merely offered for what it is worth.<sup>1</sup>

No. 11. '*Martyrdom of St. Paul before Nero*'

No. 16. '*Jesus in Prison*'

As previously noted both these subjects have been painted from cartoons which have been used before in order to represent other and different subjects. No. 11 is identical in every respect (except colouring) with the very fragmentary "*Martyrdom of St. Paul under Nero*" in the Bowett window. As the same scene cannot have been represented twice over, it must have been again used to depict another and similar scene. What this scene was will be discussed later.

No. 16. The so-called '*Jesus in Prison*' has been adapted from the '*St. Peter in Prison*' in the Bowett window by adding the heads of Herodias and Salome seen through the prison bars in order to represent the scene of '*The Baptist in Prison*'.

In order to comply with the formula of a large figure of a saint with two subjects under it and finally the scene of his martyrdom, two more subjects connected with the history of the Baptist would have to be represented. One of these which depicted Herod dallying with Herodias and being reproved by John for marrying his brother's wife was, at the time Torre wrote, in the centre light of the Parker window, although it would

<sup>1</sup> It might be suggested that some panels of glass may have been brought from churches in York or elsewhere. This is unlikely. The panels in the choir and Lady Chapel measure approx. 3 feet high by 3 feet 7 inches wide, and so would be too large to fit between the mullions of any ordinary parish church.

be out of place there under the figure of St. Thomas of Canterbury. Torre's description of the scene is as follows :—

“King in purple robe sporting with a fair lady quietly touching her under the chin. And before them stands a holy man holding a golden + in his hands.”

He adds that at one side was the figure of a lady seated in a golden chair. This would be intended for Salome.

*The Martyrdom of St. Paul* (No. 11) has evidently been used to represent the *Decollation of the Baptist* although (probably due to the fact that an old cartoon has been used), it does not quite agree with the Biblical account, for the saint, instead of being shown clad in camel-skin, still retains St. Paul's flowing robes diapered with an X<sup>1</sup> and Herod was not actually present at the scene of the martyrdom, which was not in the open air but in the prison.

Finally the bottom panel under the figure of St. Thomas of Canterbury in the Parker window, which should contain a martyrdom, is now nothing but fragments, and was so when Browne wrote. But Thomas Gent says that in his time (1730), it contained a subject of a bishop martyred at an altar. There can be little doubt that if the panel fits and agrees in style with the rest of the window, this representation of the Murder of Becket (No. 14) is the missing panel.

In the choice of subjects for these six windows, there appears to have been considerable emphasis placed upon the fact that these cruel deaths were carried out under the direct orders of tyrannical rulers. Scenes representing the martyrdom and death of

Our Lord under Pilate.  
The Baptist under Herod.  
St. Paul under Nero.  
St. Peter under Nero.  
St. Lawrence under Decius.  
St. Edmund under Hinguar.

and St. Thomas of Canterbury under Henry II.

cannot have been wholly without significance, nor entirely free from any political reference, if only by implication. For in 1405, less than twenty years before these windows were inserted, Archbishop Scrope with Thomas Mowbray, the Earl Marshal, had led a rebellion against Henry IV. They were treacherously taken and after a mock trial at Bishopthorpe, the Archbishop was taken out and executed in Clementhorpe within sight of his own cathedral, and under the personal orders of the King himself.

Although the Archbishop did not suffer death for the faith, he was nevertheless venerated as a martyr, and it was popularly believed that a disease of the face, which Henry contracted to-

<sup>1</sup> The X seems to have had no special significance as it is used as a powdering on the garment of St. John of Beverley in the Parker window, on the robe of St. Paul in the martyrdom scene in the Bowett window and on the robe of the infant St. John Evangelist in the east window of Holy Trinity Church, Goodramgate, York.



PLATE IV.



Two different subjects painted from one cartoon.

Top. St. Peter in Prison, Bowett Window, North Aisle, Choir.  
(The head of St. Peter appears to be a restoration by Peckitt,  
the glass painter (d. 1795).

Bottom. St. John the Baptist in Prison, Fourth from East, South Aisle, Choir.  
The two female heads are those of Herodias and Salome.

The weather vane of the prison at which the gaoler is intently gazing,  
has the arms of the glass-painters' gild (Two grozing irons in saltire  
between four glazing nails) painted on it.







wards the end of his life, was leprosy, and a judgement upon him for the death of the archbishop. The Dean and Chapter evidently availed themselves of this as a means of securing additional funds for the fabric.

For as Browne, the historian of the Minster points out, "the manner of his death, as subsequent fabric rolls will show, proved very beneficial to the building fund."<sup>1</sup> Attempts which had previously been made to raise funds, by firing the imagination of the populace with accounts of miracles and so attracting pilgrims to the shrine of the local saint, St. William, had proved a failure. Archbishop Bowett who, as we have seen, gave one of the windows we have been considering, did not think it worth while to make any reference in his will to St. William, although his shrine was in his own cathedral. In 1415, whilst gifts at the shrine of St. William totalled only 14s. 2½d., in the same year there was received at the tomb of Archbishop Scrope the sum of £62. 8s. 9d., and the amount of the gifts evidently increased year by year, for in 1418 it was two and a half times as much more.<sup>2</sup>

A certain faction in the Chapter evidently visualized the possibility of the northern province possessing the shrine of a sainted archbishop, martyred through the unbridled passion of a king, and therefore with claims upon the veneration and generosity of the faithful, equal at all points to those of St. Thomas of Canterbury.<sup>3</sup>

After the accession of the Yorkist Edward IV in 1461, the Chapter held a meeting to "consider the holy work of canonization and translation" of Richard the archbishop, and Edward himself, in a proclamation issued in 1471 after the battle of Barnet, referred to Scrope as having 'died and suffered deth and martyrdom'.<sup>4</sup>

However, after several adjournments the matter was evidently dropped.<sup>5</sup> Dean Purey-Cust in his *Heraldry of York Minster*, vol. i, p. 102, thinks that the reason for this was that the Dean, Richard Andrew, who had been secretary to Henry VI "would be scarcely prepared to agree to that which would be most offensive to the Lancastrians."

To sum up. The windows of the western portion of the choir formed a complete series and were evidently intended to show, starting with the Passion of Our Lord, the teaching and deaths of the noble army of martyrs, from the earliest, St. Stephen, until the time the windows were placed, and in the clerestory, as Chancellor Harrison stated "the ecclesiastics and Kings from Paulinus and Edwin onwards who made the epic of the conversion of Northumbria and the establishment of the Christian Church from the beginning of the seventh century onwards".<sup>6</sup>

<sup>1</sup> *Hist. of York Minster*, p. 203.

<sup>2</sup> Browne, *Fabric Rolls of York Minster*, p. 79.

<sup>3</sup> Dean Purey-Cust, *Heraldry of York Minster*, vol. i, p. 102, suggests that "John Pakenham as Treasurer of the Cathedral Church was probably the moving spirit in the transaction."

<sup>4</sup> *Scrope and Grosvenor Roll*, vol. ii, p. 161.

<sup>5</sup> Browne, *York Minster*, p. 245. <sup>6</sup> *The Painted Glass of York*, p. 93.

## A FORGOTTEN DISPUTE AT BRIDLINGTON PRIORY AND ITS CANONISTIC SETTING

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The part which papal rescripts and mandates addressed to English recipients, had played in the making of the medieval canon law, belongs to those departments of medieval history which, more than all others, are hidden from the vision of the student of medieval affairs. In particular, the great rôle played by the English canonists in collecting the many *extravagantes decretales* which had appeared since the publications of Gratian's *Decretum* and had profoundly modified the life of the medieval Church, has so far received but scanty recognition. In this paper it is proposed to deal with a mandate given by Alexander III to three English ecclesiastics about a dispute that concerned a prior of Bridlington. To all intents and purposes the details of this dispute are unknown. It is true that in his enumeration of cases in which Bartholomew, Bishop of Exeter, figured as a judge-delegate, Dom Adrian Morey very briefly referred to some Bridlington dispute involving a prior, but, as he apparently relied on the exceedingly truncated and, historically, almost unintelligible version of Mansi,<sup>1</sup> no further details can be extracted from his statement or from his source. New material enables us to supply a few more details, particularly concerning the fourth prior of Bridlington: it is well known that, owing to the paucity of contemporary records, the history of the Bridlington priorates is one of the least explored chapters of twelfth-century English monasticism. This new material also makes it possible to fix approximately the date of this Alexandrian decretal letter, a notoriously difficult matter in the case of all letters of this pope. Moreover, the resuscitation of this decretal gives us an opportunity to put it into the framework of contemporary English canonical collections—another topic of medieval history which so far has defied appropriate examination and elucidation and which is a veritable *silva ingens*.

The rapidly increasing power and prestige of the papacy during the second half of the twelfth century, culminating under Innocent III in an exemplary centralization of Church government, necessarily entailed that the lower placed ecclesiastical officers should have easy access to the papal rulings given in particular and concrete instances, that, in other words, the papal law should be known to inferior Church dignitaries. But the

<sup>1</sup> Adrian Morey, *Bartholomew of Exeter*, p. 55. See also Jaffé, *Regesta Pontificum Romanorum*, no. 13891, and Mansi, *Sacrorum Conciliorum . . . Collectio*, tom. xxi, col. 1096. Cf. also *Compilatio Secunda* in A. Friedberg, *Quinque Compilationes Antiquae*, II, xviii 2.



spate of ecclesiastical legislation pouring forth from the chancery of the all-powerful papal monarch, made it extremely difficult to order and shape ecclesiastical affairs in accordance with the will of the legislator: the fact that recipients of papal communications lived as far apart as Scotland and Hungary, or Spain and Iceland or Sweden, in conjunction with the slowness of medieval communications proved an almost insuperable obstacle to the will (and hence the law) of the pope's becoming known within the confines of what is euphemistically called Western Christendom. The *Decretum* of Gratian (published 1140)<sup>2</sup> became therefore outdated, though, by its very nature, it could never lose its usefulness for the schools. The need to assemble the many papal letters almost invariably laying down a generally applicable rule, was paramount, if the machinery of the papal government was to be kept in reasonably good working order, and if the ecclesiastical petitioners and questioners were not to expose themselves to the charge of ignorance so readily levelled against them by their papal master.<sup>3</sup>

The collection of the numerous *extravagantes decretales*, that is, of decretal letters outside a recognized collection, from the pontificate of Alexander III onwards, is perhaps the most characteristic feature of Church administration during the latter part of the twelfth century. That task was performed by the canonist. He alone was trained and equipped to bring order into the confused mass of relevant and irrelevant material that emerged from the countless papal letters.<sup>4</sup> The work of the English canonists was prominent and outstanding, although for some inexplicable reason their contribution remains virtually unacknowledged.

Amongst the canonical collections, prior to the so-called *Compilatio Prima* of Bernard of Pavia (published about 1190)<sup>5</sup> which was accorded an almost spontaneous recognition by the schools, the English collections play a part of the utmost importance. In fact, to judge by numbers alone, we are entitled to speak of an English canonistic activity in the late twelfth century, which easily surpasses that of the French and the Italians.<sup>6</sup>

<sup>2</sup> On the date of its publication see van Hove, *Prolegomena in Codicem Juris Canonici*, 2nd ed., 1945, p. 339, and Prof. St. Kuttner "De Gratiani opere noviter edendo" in *Apollinaris* (Città del Vaticano) vol. xxi, 1948, p. 118.

<sup>3</sup> But see also the observations of E. Friedberg, *Die Canonessammlungen von Gratian bis Bernhard von Pavia*, pp. 1—2.

<sup>4</sup> For some revealing figures see now Prof. W. Holtzmann, "Ueber eine Ausgabe der päpstlichen Dekretalen des 12. Jahrhunderts" in *Nachrichten von der Akademie der Wissenschaften zu Göttingen*, phil. hist. Kl., 1945, pp. 16-19, and Kuttner, "Notes on a projected Corpus of 12th century Decretals" in *Traditio*, vol. vi, 1948, p. 345.

<sup>5</sup> See Kuttner, *Repertorium der Kanonistik*, p. 322 note 1, and *idem*, "Bernardus Compostellanus Antiquus" in *Traditio*, vol. i, 1943, p. 285.

<sup>6</sup> For a very helpful and instructive list see Holtzmann and Kuttner, *artt. cit.*, above note 4. For the earlier period see Prof. Le Bras, "Les Collections Canoniques en Angleterre après la Conquête Normande" in *Rev. hist de Droit français et étranger*, 1932, pp. 144-160.

Unfortunately, none of the authors of these collections is known nor is there even a remote possibility of ever discovering them, and there remains for us nothing but to adopt the long established, though somewhat cumbersome, canonistic device of naming the collections either according to their place of origin or according to their present location.

For our present purpose it will be sufficient, however, if we confine ourselves to those collections in which the case of the prior of Bridlington was incorporated. Since this decretal letter cannot be found in any collection that was not of English origin, its inclusion helps to identify a particular collection.<sup>6a</sup> We may even go a step further, for it is not only in the non-English collections of the late twelfth century that this decretal is not included, but we shall also miss it in one particular group of English collections. Professor W. Holtzmann has recently classified the English canonical collections, prior to the *Compilatio Prima*, under three heads, viz., the English group in the wider sense; the Bridlington group, and, lastly, the Worcester group.<sup>7</sup> Our decretal can be traced in the Bridlington and Worcester groups, but not in the other family of collections. Holtzmann's classification therefore receives striking and independent confirmation, since the inclusion of this decretal which is one of the very few thus far known that may serve as a test case, is a safe indication for ascribing a particular collection to the two last-mentioned groups. Moreover, to all seeming, the lines of contact between the two groups (Bridlington and Worcester) are stronger than has hitherto been thought possible. The problem of filiation and kinship, however, is one that cannot as yet be solved with our present-day knowledge of twelfth-century canonistics. Lastly, the relationship between these two families and the *Collectio Sangermanensis*, presently to be referred to, also appears closer than it was at one time considered.

One of the oldest English collections was the *Collectio Wigorniensis* (B.M. Royal 10 A II).<sup>8</sup> In it we shall find (fo. 46v) a decretal addressed to the Archbishop of York, the Bishop of Exeter and the Abbot of Ford, ordering them to try a case con-

<sup>6a</sup> On the other hand, the absence of this decretal in a collection does not necessarily militate against its ascription to English canonistic scholarship. All that can be said is that if the decretal is found in a collection, this should be taken as evidence of its English origin. For instance, the decretal is not in the *Appendix Concilii Lateranensis*, printed by Mansi, *Concilia* (above note 1), tom. xxii, cols. 249-453, although its English origin is almost certain, see Friedberg, *Canonessammlungen* (above note 3), pp. 21-45, F. Heyer, in *Zeitschrift der Savigny Stiftung, Kanon. Abt.*, vol. iii, p. 626, and Kuttner, *op. cit.*, p. 291. Its Italian origin is maintained by G. Le Bras in *Dictionnaire de Droit Canonique*, s.v. Bernard de Pavie, and van Hove, *Prolegomena*, p. 352. On this controversy see now Kuttner, in *Traditio*, vol. vi, p. 349 and notes 36-39.

<sup>7</sup> The MSS are listed *artt. citt.*, above note 4.

<sup>8</sup> On the collection and an analysis, see H. E. Lohmann, "Die Collectio Wigorniensis" in *Zeitschrift der Savigny Stiftung, Kanon. Abt.*, vol. xxii, 1933, pp. 36-187.



cerning the prior of Bridlington.<sup>9</sup> This *Collectio Wigorniensis*, so-called after its place of composition, was probably written shortly after 1181 and may owe its origin to the accession of Baldwin to the bishopric of Worcester.<sup>10</sup> But this Worcester collection was not an original compilation as such, for its archetype was a collection of decretals which has not, so far, come to light.<sup>10a</sup> This archetype of the *Coll. Wigorniensis* did not only serve as the latter's source and model, but also as the source and model of another English collection, which was also most likely written (or copied) at Worcester, that is, of the so-called *Collectio Claustroneoburgensis*. That the two collections were derived from a hitherto unknown archetype is beyond dispute, as the minute researches of H. E. Lohmann have conclusively shown. Naturally, here too, in the *Collectio Claustroneoburgensis*—so-called after its place of discovery<sup>11</sup>—we find the same decretal as in the *Collectio Wigorniensis*, but here it appears without any heading or inscription. It forms chapter 205 of the collection. Without going into any details about the dates of these two collections, we may however state, and thereby contradict Lohmann's opinion,<sup>12</sup> that the *Coll. Claustroneoburgensis* is older than its counterpart, the *Coll. Wigorniensis*. For we should keep in mind that the *Coll. Wigorniensis* attempts, however imperfectly, to bring some system into the mass of decretals, which is certainly a step forward as compared with the unsystematic arrangement still prevailing in the *Coll. Claustroneoburgensis*. One cannot very well assume that after the *Coll. Wigorniensis* a retrograde step of this kind would be taken by a compiler working in the same place and on an identical basis. On the other hand, presuming that the first 24 chapters of the *Coll. Claustroneoburgensis* were not inserted afterwards,<sup>13</sup> they would indicate that the work was compiled after 1179, since these 24 chapters consist of decrees passed by the Third Lateran Council. One might venture the opinion that the *Coll. Claustroneoburgensis* presents to us the first descendant of the unknown archetype, shortly to be followed by the second, that is, the *Coll. Wigorniensis*. But whatever their relative date, there is no doubt that they are closely related to each other.

<sup>9</sup> In Lohmann's analysis it is pars VII, cap. 14. The heading of pars VII of the *Coll. Wigorn.* is (Lohmann, p. 125): "Incipiunt decretales epistolae Alexandri III papae ad informandum iudices in diversis casibus quandoque emergentibus, quarum prima destinata est Eboracensi archiepiscopo."

<sup>10</sup> See Lohmann, *art. cit.*, p. 53 note 1.

<sup>10a</sup> On this see Lohmann, pp. 52 ff.

<sup>11</sup> Library of the Austin Canons, Klosterneuburg, Lower Austria, no. 19, fo. 36-87v. On the collection itself and for its analysis see F. Schoensteiner, "Die Collectio Claustroneoburgensis" in *Jahrbuch des Stiftes Klosterneuburg*, vol. ii, 1909, pp. 1-154.

<sup>12</sup> At p. 48.

<sup>13</sup> Schoensteiner's statements are too vague to base any conclusive evidence on them. The title of the whole collection would confirm our assumption: "Incipiunt decreta sive sententiae Alexandri III Romanae sedis episcopi."

The collection called *Collectio Cheltenhamensis* (B. M. Egerton 2819, fo. 18-103) also contains our Bridlington decretal (fo. 68rb-69rb), but there the decretal has an addition which cannot be found in any other collection and which deals with a further instruction to the three delegated judges. The textual variations between the *Coll. Cheltenhamensis* on the one hand, and the *Coll. Claustro-neoburgensis* and *Wigorniensis* on the other hand, suggest that their compilers did not rely on one and the same copy of the decretal; one may even suggest that the decretal in the *Coll. Cheltenhamensis* presents to us the nearest approximation to the original. As far as can be established, this collection was made in the middle-eighties of the twelfth century.

Whilst the *Coll. Cheltenhamensis* shows the correct address of the decretal, the collection now known as *Coll. Cottoniana* (B.M. Cotton Vitell, E XIII, fo. 210v-283v)<sup>14</sup> has, instead of "abbati de forde", the inscription: "abbati de rufford" (fo. 237rb-237va). Composed in the late eighties of the twelfth century, this collection excises from the decretal a fairly large part in the manner of the later compilations: like the *Compilatio Secunda* it does not contain the actual charges against the prior nor some of the instructions of the pope to the judges. It has the same *pars decisa* as the printed version of Mansi and *Compilatio Secunda* but recommences later than these two: ". . . cognoscendam et sine debito terminandam, et infra: Si vobis constiterit . . ."

Hence all the collections so far known as belonging to the Worcester family which the present writer consulted, incorporated the Bridlington decretal.<sup>15</sup>

In a collection belonging to the so-called Bridlington group our decretal appears in a version that may incidentally point to a somewhat later compilation. In the *Collectio Claudiana* (B.M. Cotton Claud. A IV, fo. 215va) we find, indeed, the mandate of Alexander III, but in a form that is otherwise unknown. The decretal forms here the sixth penultimate chapter of the collection, and its heading in red ink reads: "Judex delegatus potest prohibere conventui ne obediat priori suo" whilst the address reads: "Alexander III Eboracensi archiepiscopo et Exoniensi episcopo et abbati *fordensi*." That this collection betrays the independent attitude of the compiler follows conclusively from the introduction to the actual words of the decretal: "Post alia de accusatione canonicorum de bridlincione in priorem suum: Verum si idem prior . . ." (which is part iv of the decretal in our transcription).

As we said before, the collection of decretals by Master Bernard, the *Compilatio Prima* (or as he himself called it: the

<sup>14</sup> St. Kuttner, *Repertorium*, p. 297.

<sup>15</sup> That our decretal cannot be found in the *Collectio Trinitatis Cantabrigiensis* (Trinity College, R. 14. 9, fo. 82-88) is simply due to this MS being a mere fragment. It is closely akin to the other members of the Worcester family and there is every reason to presume that the complete collection would also show us our decretal.



*Breviarium Extravagantium*) was at once fully recognized by the schools as a most satisfactory compilation. The lucidity of its arrangement and the exact method employed by him could not fail to make the collection acceptable to the critical masters in the schools. In fact, they had purposely ignored all the major collections before the *Comp. Prima*—even the systematic collections.<sup>16</sup> Nevertheless, Bernard's work had soon to share the fate of Gratian's. Bernard's collection became outdated, mainly because of the increasing number of *extravagantes decretales* which had issued forth since the completion of his compilation, and partly, also, because he had omitted some important decretals of previous popes, especially those Alexander III which latter defect was soon detected by the professional canonists. Hence the need arose anew to collect those *extravagantes* which had made their appearance since the *Comp. Prima*; at the same time it was felt advisable to embody those decretals of previous popes which Bernard had not known or had refused to incorporate in his own collection.

Once again in the period after the *Comp. Prima* the compiling activity of the English canonists assumed major importance. In fact, it would be unthinkable to consider medieval canonistics without the names of Gilbert, Alan, or John (to mention only the known collectors of decretals)<sup>17</sup> about whose European fame and

<sup>16</sup> See Kuttner in *Studia et Documenta Historiae et Juris*, 1940, p. 313; *idem* in *Traditio*, vol. vi, p. 349.

<sup>17</sup> Out of the great number of eminent English canonists (decretists as well as decretalists) we mention but a few. (1) HONORIUS, the Archdeacon of Richmond, Yorks., about whose struggle with the Archbishop of York see Roger of Hoveden, *Chronica*, vol. iii, p. 298, vol. iv, pp. 9, 52, 158, 159, 177, A. Hamilton Thompson, "The Registers of the Archdeaconry of Richmond" in *Yorkshire Archaeological Journal*, vol. xxv, pp. 131-135 (*cf.* also *Early Yorkshire Charters*, ed. C. T. Clay, vol. iv, pp. xxv-xxvi, and *Gregoriana*, III, vii, 6). His *Summa Quaestionum* is a work of great detail and shows all the characteristic features of the Anglo-Norman schools: MSS. listed by Kuttner, *Traditio*, vol. i, 1943, p. 321, note 4; some references to MS. Zwettl, Cistercian Monastery, no. 162, in my *Medieval Papalism*, p. 210. (2) DAVID OF LONDON: see the late Z. N. Brooke, in *Essays in History presented to R. L. Poole*, pp. 227 ff, and Dom Morey, *op. cit.*, pp. 27, 65. (3) WILLIAM OF DROGHEDA: see Maitland in *E.H.R.*, vol. xii, pp. 625 ff, and F. de Zulueta, "William of Drogheda" in *Mélanges G. Cornil*, 1926, vol. ii, pp. 639-57. (4) GÉRARD PUCELLE, a former Parisian Master, and Bishop of Coventry and Lichfield, see R. Saltet, *Les Réordinations*, pp. 355 ff, and Morey, *op. cit.*, p. 53. (5) The famous RICHARD DE LACY, one of the most celebrated Masters at Bologna, about whom and some other English canonists, see my *Medieval Papalism*, pp. 10 ff, 211 ff. He was nicknamed "The Quarrelsome" and was "acuti et subtilis, sed nimis arrogantis et elati ingenii," J. Pitseus, *Rel. Histor. de Rebus Anglicis*, no. 292, p. 273. (6) PETRUS BRITO, whose glosses on the *Comp. I* are in Lambeth Palace Library, MS. no. 105; for some remarks on his *Apparatus* *cf.* Appendix F of *op. cit.* under no. 5, and on him as a glossator see F. Gillmann, "Petrus Brito und Martinus Zamorensis Glossatores" in *Archiv f. Kathol. Kirchenrecht*, vol. cxx, 1940, pp. 60 ff. (7) The canonists whose sigla occur frequently in the *Quaestiones Londinienses* (B.M. Royal 9 E VII, fo. 191 ff) have now partly been identified, see Miss E. Rathbone, "John of Cornwall" in *Recherches de Théologie Ancienne et Médiévale*, vol. xvii, 1950, pp. 60-76, at p. 52 (John of Cornwall, John of Tynemouth, Nicholas de Aquila, Simon of

reputation we know so much, but whose more personal history is shrouded into an apparently impenetrable cloud. Gilbert, professor of canon law at Bologna, published his collection of *extravagantes* in summer 1202,<sup>18</sup> but his compilation was soon followed by that of Alan, another Master of Bologna, whose work was conceived on a far larger scale than Gilbert's and was published in 1206.<sup>19</sup> Both these collections constituted the material out of which another "Englishman", John of Wales,<sup>20</sup> formed a collection, which, published between 1210 and 1215, was named by the schools the *Compilatio Secunda*.<sup>21</sup>

Amongst the indubitably English collections which vainly tried to supersede the *Comp. Prima* of Master Bernard, the large-scale *Collectio Sangermanensis*<sup>22</sup> must take first place. And again we shall re-discover the decretal of Alexander III to the three English ecclesiastics in this collection. Being a systematic collection, the decretal appears here under the title "De sententiis et interlocutionibus et auctoritate rei judicatae," and forms the 8th chapter.<sup>23</sup> Now, we should bear in mind that the *Coll. Sangermanensis*, too, was filiated to the Worcester group of collections,<sup>24</sup> and was composed in the beginning of Innocent III's pontificate, hence at the very end of the twelfth century.<sup>25</sup> The very few variants in the reading of our decretal between the *Coll. Sangermanensis* and the *Claustroneoburgensis* will be given in the appended transcription. Closely related to this collection was the *Collectio Abrincensis*,<sup>26</sup> which in fact was merely an excerpt made by the unknown compiler from the *Coll. Sangermanensis*: it contains only those chapters of the latter which are not in the

Southwell, all also in Caius MS. 676, where also references to Robert Pullen will be found, e.g., fol. 165 vb.). For John of Tynemouth (jo. deti.) see also Prof. C. Cheney, *English Bishops' Chanceries*, 1950, pp. 13, 129, 158; about Simon's official activities, see Cheney, pp. 11 (*Inspeximus*), 13, 79, n2.

<sup>18</sup> R. v. Heckel, "Die Dekretalensammlungen des Gilbertus und Alanus" in *Zeitschrift* (as above note 8) vol. xxix, 1940, at p. 144.

<sup>19</sup> Heckel, *loc. cit.*, p. 147.

<sup>20</sup> He was indifferently called Johannes Galensis, Johannes Walensis, Johannes Anglicus, see van Hove, *op. cit.* (above note 2), p. 356.

<sup>21</sup> The actual title of this collection was *Intermediae seu mediae decretales* to distinguish it from the *Compilatio Tertia* which, though published 1209/1210, hence earlier than the *Secunda*, nevertheless contained material that was of a later date than that embodied in the *Secunda*, see Kuttner in *Miscellanea G. Mercati*, 1946, vol. v, p. 621, *idem* in *Studi Gregoriani*, 1947, vol. ii, p. 387, and my *Medieval Papalism*, pp. 5, 14. For the ancestral sources cf. also W. Holtzmann, "Die Register Papst Alexander III in den Händen der Kanonisten" in *Quellen und Forschungen aus italienischen Archiven und Bibliotheken*, vol. xxx, 1940, pp. 14-17.

<sup>22</sup> MS. Paris, Bibl. Nat., no. 12459.

<sup>23</sup> *Coll. Sangermanensis*: V. iv. 8. On the collection itself see H. Singer, "Neue Beiträge zu den Dekretalensammlungen" in *Sitzungsberichte der kaiserlichen Akademie der Wissenschaften*, phil. hist. Cl., vol. clxxi, 1914; the chapter referred to is at p. 226.

<sup>24</sup> See Kuttner, *Traditio*, vol. vi, p. 347, and Lohmann, *art. cit.*, p. 63 f, but Singer, *loc. cit.*, p. 104, without adequate reasons, denies a filiation of *Sangermanensis* and *Claustroneoburgensis*.

<sup>25</sup> Singer, *loc. cit.*, p. 112.

<sup>26</sup> MS. in Avranches, Bibl. de la Ville, no. 149, fo. 79-109.



*Comp. Prima*, and hence was to have been a supplement to Bernard's compilation.<sup>27</sup> Since our decretal was unknown to Bernard, and since the *Coll. Sangermanensis* contained it, the author of the *Coll. Abrincensis* had every reason to incorporate it; here it appears under the same title as in the *Coll. Sangermanensis*.<sup>28</sup>

As the few MSS of the last two collections indicate, they do not seem to have met with great favour by the schools. Alan's compilation, however, was on a far greater scale than any of the previous collections; it may well be that there are stronger ties between the *Coll. Sangermanensis* and the *Compilatio Alani* than has hitherto been suspected. Whatever their relationship, we find the Bridlington decretal also in Alan's work. It is plain that a large work like that of Alan—the compilation has 6 books containing 484 chapters—needed careful preparation and sifting of material before it could stand up to the bright daylight of the schools. Virtually nothing has so far emerged that would throw some light on the preparatory work that went into the making of Alan's collection. But in a MS of Durham Cathedral Chapter Library (C III 3)—to which Professor St. Kuttner first drew attention without, however, identifying its contents<sup>29</sup>—we shall find a hitherto unknown collection of decretals which may well be classed as a first draft of Alan's work. That author and scribe were English cannot be doubted in view of the almost invariably correct spelling of English place names—a feature that caused so much trouble to non-English authors and scribes—and also in view of the predominance of English affairs in the decretals assembled in it. Moreover, the statement may safely be made that the compilation which, on another occasion, we termed the *Compilatio Dunelmensis*, first saw the light in the North of England.<sup>30</sup> The reasons which make the author of the *Coll. Sangermanensis* a member of the Durham diocese,<sup>31</sup> apply to our compilation to an equal, if not higher, degree. This work which will be found from fo. 123ra to fo. 158ra, comprises according to our computation 188 chapters<sup>32</sup> of which the majority belong to the pontificate of Innocent III, but has, as yet, no chapter headings, no proper system of arrangement and must be classed as a so-called primitive collection. The decretals are distributed amongst the following popes: Innocent III: 84; Celestine III: 19;

<sup>27</sup> Cf. Kuttner, *Repertorium*, p. 299.

<sup>28</sup> *Abrincensis*: V. v. 5, in the analysis of Singer, *loc. cit.*, p. 377.

<sup>29</sup> *Op. cit.*, p. 319. I desire to express my thanks to the Dean and Chapter of Durham Cathedral for the loan of this MS. to the University Library of Leeds.

<sup>30</sup> Cf. our observations on this MS. in "A Scottish Charter and its place in medieval canon law" in *Juridical Review*, Edinburgh, vol. lxi, 1949, pp. 225-41. In this paper note should have been taken of the analysis of the Melrose case and its identification by Lord (T. M.) Cooper, *Select Scottish Cases of the Thirteenth Century*, 1944, p. 4 f.

<sup>31</sup> Singer, *loc. cit.*, p. 114.

<sup>32</sup> In fact there are 187 chapters, if we leave out, as we ought to, the "foreign" element, i.e. the Scottish charter (no. 143 according to our computation).

Clement III : 10 ; Urban III : 4 ; Lucius III : 15 ; Alexander III : 42 ; Eugen III : 1 ; Calixtus II : 1 ; Paschal II : 1 ; Gregory I : 1 ; 2 chapters are decrees of councils, whilst, so far, the attribution of 7 decretals is not quite certain.

A close study of this compilation leaves little room for doubt that it formed the embryo of Alan's work. So far no advance has been made to ascertain the actual sources upon which Alan worked. All one can safely say is that he cannot have had access to the official papal registers—and this for reasons which are not relevant to the present enquiry<sup>33</sup>—and that the sources must have been either the actual papal letters as they were received by the ecclesiastical authority addressed or copies of the letters. In this assumption we are strengthened, not only by a proper appraisal of the material set forth elsewhere,<sup>34</sup> but also by the mandatory letter of Alexander III addressed to the Archbishop of York, the Bishop of Exeter and the Abbot of Ford, concerning the prior of Bridlington. Alan himself did not incorporate the whole letter in his eventual compilation, but omitted a considerable portion of its latter part, that is, parts iii and iv of our transcription. It was in the form abbreviated by Alan that John of Wales embodied this Alexandrian communication in the *Compilatio Secunda*.<sup>35</sup>

The identification of the prior does not cause undue difficulty. It was prior Gregory, about whom we know no more than Burton has told us in his *Monasticon Eboracense* that he was a prior "before 1181".<sup>36</sup> This decretal also enables us to fix the

<sup>33</sup> Proof for this statement will be given on another occasion. The argument is briefly this. Alan in his great *Apparatus* on the *Compilatio Prima* launched the frontal attack on the dualist system of government and was the true founder of the extreme forms of medieval papalism (cf. *op. cit.*, pp. 10 f., 146-151, and Prof. A. Gwynn in *Irish Histor. Studies*, vol. vii, 1950, p. 132). His argumentation would have been immeasurably facilitated, if he had quoted some of the important political decretals of Innocent III. There can be no doubt that if he had known these Innocentian decretals, he would have taken them as the basis of his argumentation in his *Apparatus*, but neither here nor in his own collection do we find them. These political decretals are : "Venerabilem," Potthast, *Regesta*, no. 1653, and "Per Venerabilem", Potthast, no. 1794, the former issued in March 1202, the latter in the second half of the same year. Alan's lack of knowledge of the other politically important decretal, that is, "In genesi" (Potthast no. 1055) issued in May 1200, which Rainer of Pomposa had incorporated in his collection (finished May/June 1201, see F. Heyer in *Zeitschrift*, vol. iv, p. 596) may help us to date the composition of his *Apparatus* : had he known of this last-mentioned decretal at the time of its composition, he would certainly have referred to it in the gloss in which he set forth his political views. However, we do find this decretal in our *Compilatio Dunelmensis* as no. 60 (fo. 136ra) which Alan then dropped in the final version of his collection. In all likelihood he composed his *Apparatus* not later than 1200, certainly before he obtained knowledge of that Innocentian decretal.

<sup>34</sup> See the paper cited above note 30.

<sup>35</sup> *Compilatio Alani* : II. xv. 2 ; *Compilatio Secunda* : II. xviii. 2.

<sup>36</sup> John Burton, *Monasticon Eboracense*, p. 242 ; cf. also *Religious and Secular Houses in Yorkshire*, ed. W. P. Baildon, Y.A.S., vol. i, p. 18, and *V.C.H.*, vol. iii, pp. 199-205. According to Pitseus, *op. cit.*, p. 844, he was a native of Northumberland and was very active as a writer.



date of Gregory's election as prior of Bridlington within a few years.

This letter of Alexander III forms the 87th chapter of the *Compilatio Dunelmensis* (fo. 144ra) and is sandwiched between a letter of the same pope to the Abbot of Leicester<sup>37</sup> and a mandate given to the Bishop of Coventry and the Prior of Kenilworth.<sup>38</sup> The hand is almost certainly an early thirteenth-century English, most likely charter hand.

Quite unlike the senseless heading in Mansi, our compilation renders the address in a more intelligible form: "Idem archiepiscopo Eboracensi et Exoniensi episcopo et abbati de Forde". Since Alexander III reigned from 20 September 1159 to 30 August 1181, the Archbishop of York can be no other than Roger of Bishopbridge whose pontificate lasted from 1154 to 20 November 1181. The Bishop of Exeter was Bartholomew who presided over his Southern diocese from 1161 until over three years after Alexander's death (15 December 1184).<sup>39</sup> No material has emerged to throw any light on the personality of the third judge-delegate, the Abbot of Ford, who, in view of the probable date of the affair, cannot very well have been Baldwin.<sup>40</sup> Since the two identifiable ecclesiastics—the Archbishop of York and the Bishop of Exeter—were contemporaries of Alexander III, throughout his pontificate, they assist us naturally very little in fixing the date of the letter in question.

But we may date the letter and hence approximately the dispute by inference. For a number of charters is extant which bear the signature of Prior Gregory of Bridlington. The dates of these charters range from the early sixties to the late seventies of the twelfth century, and in one case possibly to the middle eighties, and thus would also coincide with Alexander III's pontificate. But at least one charter gives us the possibility of a clue. This charter is a notification of Archbishop Roger, whose date the late W. Farrer has tentatively given, in a note appended to the charter, as "before 1164, possibly 1161".<sup>41</sup> This is the earliest

<sup>37</sup> Chapter 86, fo. 144ra: "Dilecti filii nostri abbas . . . terminetis." This is also the preceding chapter in Alan's final compilation: *Comp. Alani*: II. xv. 1, which is *Comp. II*: II. xviii. 1, and Jaffé, no. 13729.

<sup>38</sup> Chapter 88, fo. 145ra: "Causa quae vertebatur . . . faciunt possidere" This is also the following chapter in Alan's final compilation, II. xv. 3, and *Comp. II*, II. xviii. 3, Jaffé, no. 13858. This decretal is also in *Coll. Wigorn.* VII. 20, *Coll. Clauston.*, no. 218, *Coll. Sangerman.* V. iv. 9 (hence also following the Bridlington decretal) and in *Abrincensis* V. v. 6. The address of this decretal is mostly corrupted: Alan and *Comp. II*: "Priori de Chiville"; *Sangerman.* and *Abrinc.*: "Priori de Renillewrthe"; *Wigorn.*: "Priori Kinelwrde"; whilst the *Compilatio Dunelmensis* places the prior correctly at Kenilworth.

<sup>39</sup> See Dom Morey, *op. cit.*, p. 43.

<sup>40</sup> On the dates of Baldwin see Dugdale, *Mon. Angl.*, vol. v. p. 331, Morey, p. 105, and Miss Kathleen Edwards, *The English Secular Cathedrals in the Middle Ages*, pp. 189-190.

<sup>41</sup> *Early Yorkshire Charters*, ed. W. Farrer, vol. ii, p. 32, no. 674. Prior Gregory occurs as late as after 20 November 1181 as a witness to a charter, see *Cartularium Prioratus de Gyseburne*, ed. W. Brown (Surtees Soc.), vol. ii, p. 83, no. DCCXIX.

charter in which Prior Gregory appears as a witness. Presuming that Farrer's reasons for dating this document are accurate, and presuming further, as we are entitled to, that a charge of uncanonical election did not as a rule follow very many years afterwards, the dispute at Bridlington must have occurred some time in the early sixties. Besides, it is unlikely that his priorate had begun at a date much earlier than 1159, since Alexander III himself had previously commissioned the Bishop of Durham and the Abbot of Fountains to deal with the charges levelled against the prior. It will be safe to assume that Prior Gregory was elected towards the very end of the fifties, or even possibly in the early sixties. Our assumption is greatly strengthened by the evidence which Canon Purvis adduces to show that Gregory's predecessor, Robert the Scribe, was prior between 1150 and 1160: the end of Robert's priorate "cannot have been more than a year or two, at the most, later than 1160".<sup>42</sup> The actual dispute constituting the subject-matter of our decretal must have occurred shortly afterwards. Dr. Solloway's somewhat vague statements on Gregory, which do not adduce anything beyond what Burton has already said, therefore receive added precision.<sup>43</sup>

With all due respect we cannot agree with Dom Morey's argument<sup>44</sup> that Bartholomew's function as a judge-delegate belongs in most cases to the period after Avranches. As far as our case is concerned we need not assume that it occurred as late as Dom Morey would have it. One cannot argue that a charge of uncanonical election would seriously be entertained after Gregory had been prior for so many years. But we have more definite evidence that our case must have occurred considerably earlier than middle seventies, for, together with the Abbot of Riveaulx, Prior Gregory was commissioned as judge-delegate by Alexander III in the famous dispute of the Premonstratensian canons of Newhouse in the diocese of Lincoln with the pugnacious Benedictine nuns of Elstow in Bedfordshire about the advowson of the church of Halton-on-Humber. The sentence which is still preserved in the original document (Harley Charters 44 I 3) was delivered on 10 January 1176, but the actual commission must have been in 1174, because the judgement says: "Since for a whole year and more the truth of the matter in question has been duly examined and ascertained . . ."<sup>45</sup> The papal commission appointing the abbot of Riveaulx and the

<sup>42</sup> See J. S. Purvis, "The Priorate of Robert the Scribe", appended to Miss B. Smalley's "Gilbertus Universalis, Bishop of London etc." in *Recherches de Théologie Ancienne et Médiévale*, vol. vii, 1935, pp. 250-51.

<sup>43</sup> J. Solloway, *The Austin Canons of Bridlington*, p. 9.

<sup>44</sup> *Op. cit.*, p. 75.

<sup>45</sup> An English translation of the sentence is in S. R. Wigram, *Chronicles of the Abbey of Elstow*, Oxford, 1885, pp. 45-6. The nuns seem to have been aggressive and stubborn, since even the pope himself had to commission Richard, Archbishop of Canterbury, to put a stop to their "vexatious prosecutions"; this bull is printed by W. Holtzmann, *Papsturkunden in England*, vol. ii, no. 146, pp. 417-19; cf. also Wigram, pp. 47-8, *V.C.H. (Lincoln, vol. ii)*, p. 119, and *V.C.H. (Bedfordshire, vol. i)*, p. 353.



Prior of Bridlington has so far been known only in the *Collectio Wigorniensis*,<sup>46</sup> in the *Coll. Claustro-neoburgensis*,<sup>47</sup> and in the *Appendix Lateranensis Concilii*,<sup>48</sup> but we are now in a position to add four more collections and MSS in which this commission is also embodied. They are the *Collectio Roffensis*;<sup>49</sup> the *Collectio Regalis*;<sup>50</sup> the *Coll. Cheltenhamensis*;<sup>51</sup> and the *Collectio Cantuariensis II*.<sup>52</sup> The actual decretal letter of Alexander III to the two Northern judges would also have been committed to oblivion, had there not been the reliable canonical collections of the late twelfth century.

This circumstantial evidence which we adduced, forms the only possible clue to a tentative dating of the letter. The only person named in the document is a "canonicus Walterus", but this of course gives us no hint at all about the person of the canon or about the time during which Canon Walter might have resided at Bridlington. A glance at the charters appended by Dugdale to his account of the priory shows that the Walters were too numerous, especially in the North of England, to enable us to fix upon one alone<sup>53</sup> nor shall we be more enlightened if we look at Tanner's *Notitia Monastica* or at the many charters edited by Farrer and Dr. C. T. Clay which abound in witnesses calling themselves Walter; except that in one case we find a "Walterus canonicus de Martun" who witnesses a charter tentatively dated by Farrer 1169-1193<sup>54</sup> and in another case we find obviously the same canon appearing as the prior of the same place witnessing a confirmation dated 1193-1205.<sup>55</sup> But it is highly unlikely that this Prior (formerly Canon) Walter is the same canon who raised such a serious indictment against Prior Gregory to which at long last we may turn.

In the introduction to his letter Alexander III recalls that one of the canons of Bridlington had not only charged the prior with incontinency, but had also asserted that the prior had been uncanonically elected. The pope thereupon commissioned the Bishop of Durham and the Abbot of Fountains to examine the charges. The two delegated judges, however, found the charges unproved and dismissed the case. But Canon Walter, who does not seem to be identical with the canon who first indicted the prior, cast grave doubts upon the whole proceedings maintaining that even before the judges had examined the witnesses, they had made up their minds to acquit the prior "potius sequentes voluntatem quam juris ordinem".

<sup>46</sup> VII. 38, fo. 53vb.

<sup>47</sup> No. 296.

<sup>48</sup> III. 5, as printed by Mansi, *Concilia*, vol. xxii, col. 281.

<sup>49</sup> B.M. Royal 10 C IV, fo. 151ra.

<sup>50</sup> B.M. Royal 15 B IV, fo. 115ra.

<sup>51</sup> B.M. Egerton 2819, fo. 41rb.

<sup>52</sup> B.M. Royal 10 B IV, fo. 61va.

<sup>53</sup> Dugdale, *Mon. Angl.*, vol. vi, ap. Bridlington, nos. VII, IX, XII, XVI, all occurring in charters after 1159.

<sup>54</sup> *Early Yorkshire Charters*, ed. cit., vol. ii, p. 132, no. 789.

<sup>55</sup> *Ibid.*, no. 1078.

It is somewhat understandable that a canonist of Alexander's repute was highly displeased with the execution of a mandate of his allegedly not in conformity with the principles of due law and process, particularly as Canon Walter revealed to the pope a detailed list of serious incriminations against the prior. In the first place, Walter repeated the charge that the prior had been uncanonically elected, although the canon did not say on what factors this charge could be based. Secondly, he contended that the administration of the prior left much to be desired, since he had dissipated the property of the church and used it for evil means; moreover, the prior had disposed of church property without consulting the chapter, thereby pursuing his own personal aims rather than the common good of the church entrusted to him; the prior had also given away, again "*inconsulto capitulo*", the tenth due to the church and a number of other possessions of the church. Although the prior had not the consent of the chapter, he nevertheless had used the seal so as to give these machinations and transactions the semblance of legality. But the prior's conduct, even towards the canons themselves, had shown him in a very reprehensible light. He had not treated them in the manner of a magisterial father ("*non more magistri*"), but rather in that of a tyrant ("*sed severitate tyranni*") and had oppressed them gravely. If any of the canons had the temerity to contradict the prior's wilful decisions, he found himself either heavily beaten by the prior, or overwhelmed with ecclesiastical censures and strictures. In short, towards the canons, the prior had proved himself a task master ("*durus et austerus*"). His severity not only frightened some of them to disclose their physical ailments and bodily infirmities, but also caused them not to confess their sins to him. The prior, according to the contention of Canon Walter, also seems to have been something of a good businessman in that he showed an aptitude for buying things cheaply and selling them at a dearer price—and all this "*nulla necessitate coactus*". He retired to his own room to occupy himself with his private affairs, but declined to attend convent; a certain "*sinister suspicion*" lies upon the actions of a prior who admits the familiarity of disreputable persons.

The second part of the communication—the only part of the whole letter that is fragmentarily in print—has merely juristic value. Not being of any particular interest as regards the priory of Bridlington, a summary of this latter part will be sufficient. The pope gave detailed instructions to the three delegated judges clearly indicating upon what points they should concentrate, how they should proceed, in what manner the canons of Bridlington should be protected against arbitrary decisions which the prior might take whilst the proceedings were still in progress, how the expenses should be met, what strictures they should apply against the prior if he were to show himself obstreperous and refractory, what precautions they should take in case of an appeal's being lodged by either party, and so forth. As it behoved a great



canonist of Alexander's standing, the point the judges were to clear up before they proceeded any further was whether the acquittal of the prior by the Bishop of Durham and the Abbot of Fountains was in harmony with the law and the evidence. Unfortunately, no records have come down to us to tell us what the verdict of the three judges was, although we may presume that their verdict cannot have been entirely unfavourable to the prior who was commissioned by Alexander III himself as a judge-delegate and whom we still witness appending his signature in his capacity as a prior of Bridlington even after Alexander's death.<sup>56</sup>

As we stated before, this letter made its first, and as far as it is ascertainable with our present-day knowledge of medieval canonistics, its only appearance in the hitherto neglected canonical collections of the late twelfth century. Naturally, this instance is one of many in which an otherwise negligible and merely local dispute concerning some English ecclesiastical affair, made its entry into one of the *Compilationes* and from there found its way later into the *Gregoriana* which was to remain in force until Whitsun 1918. However, the juristic ruling given by Alexander III in the present case does not seem to have warranted the inclusion of this letter in the official *Gregoriana* by its compiler, St. Raymond de Penaforte. It is true that John of Wales considered the ruling of the pope important enough to include it in his collection (the *Compilatio Secunda*), but further than that the case of the prior of Bridlington did not advance. Nevertheless, by its inclusion in John of Wales's compilation, this letter of Alexander III became part and parcel of the medieval canon law and remained so until some twenty years later when his compilation was superseded by Gregory IX's. Although few might have known the inner story of the case—the *Compilatio Secunda*, like Alan's final version, contained only fragments of the letter—yet it laid down some generally applicable ruling about canonical appeals. The divergent forms of spelling of proper names and place names naturally prevented contemporaries (and still more later generations) from identifying the case as one concerning the ancient priory of Bridlington. We must therefore be grateful to the canonical collections and especially to Alan's first draft for preserving this Alexandrian document for posterity. This letter cannot claim any great historical importance *per se*, but, then, it is out of many small documents hitherto carefully concealed from the searching eye of the historian, that the real stuff of history is made.

#### APPENDIX.

The following abbreviations will be used :

A : Coll. Abrincensis ; C : Coll. Claustroneoburgensis ;  
CL : Coll. Claudiana ; CO : Coll. Cottoniana ; D : Compilatio

<sup>56</sup> Canon Purvis, *loc. cit.*, p. 251, points out that Clement III alluded to Gregory as "formerly prior" of Bridlington, which leaves no doubt that his tenure as a prior must have ended some time between 1187 and 1191, the year in which Clement III died.

Dunelmensis ; E : Cheltenhamensis ; F : Compilatio Secunda ;  
M : Mansi ; S : Coll. Sangermanensis ; W : Coll. Wigorniensis.

*Alexander III Eboracensi archiepiscopo et Exoniensi episcopo et  
abbati de Forde.\**

(i) Cum jam pridem quidam<sup>1</sup> canonicus ecclesiae<sup>2</sup> de bride-  
lington<sup>3</sup> <sup>4</sup>in nostra presentia<sup>4</sup> constitutus adversus priorem suum  
incontinentiae vitium objiceret<sup>5</sup> et quod <sup>6</sup>eius electio<sup>6</sup> non  
fuisset<sup>7</sup> canonica, in audientia nostra proposuerat :<sup>8</sup> nos<sup>9</sup> causam  
ipsam<sup>10</sup> venerabili fratri <sup>11</sup>dunolmensi episcopo<sup>11</sup> et <sup>12</sup>dilectio  
filio nostro<sup>12</sup> <sup>13</sup>abbati de fontibus<sup>13</sup> cognoscendam commisimus,  
et <sup>14</sup>sine debito<sup>14</sup> determinandam.<sup>15</sup> Cumque a nobis iudices  
delegati per sua scripta, si<sup>16</sup> bene meminimus, significassent, quod  
super hiis eundem priorem juxta depositionem<sup>17</sup> fratrum suorum,<sup>18</sup>  
qui veritatem exinde dicere<sup>19</sup> juraverunt,<sup>20</sup> reperissent<sup>21</sup> prorsus  
immunem : postmodum dilectus filius<sup>22</sup> noster Walterus canoni-  
cus <sup>23</sup>eiusdem ecclesiae<sup>23</sup> ad presentiam nostram accedens pro-  
posuit, quod<sup>24</sup> cum a fratribus suis juramentum reciperent con-  
stanti nobis assertione proposuit, quod super hiis veritatem puram  
et simplicem faterentur, antequam eosdem fratres exinde re-  
quirent, jam dictum priorem <sup>25</sup>ab hiis<sup>25</sup> potius sequentes  
voluntatem quam juris ordinem absolverint.<sup>26</sup> Adjecit insuper<sup>27</sup>  
idem Walterus, quod eiusdem prioris electio, sicut prius nobis  
suggestum fuerat, canonica non fuisset et quod bona ecclesiae<sup>28</sup>  
ipsae in pravos et improprios<sup>29</sup> usus converteret<sup>29a</sup> et in rebus  
ipsius ecclesiae disponendis inconsulto<sup>30</sup> capitulo <sup>31</sup>non <sup>32</sup>com-  
munem utilitatem,<sup>32</sup> sed propriam sequitur voluntatem. Adjecit<sup>33</sup>

\* The heading of the decretal shows the following variants :—

F : Alexander III Eboracensi archiepiscopo et Exoniensi episcopo et abbati  
de Herfor.

M : Idem Eborac. archiep. et Exoniens. abbati de Herefort.

CL : „ „ „ „ „ et abbati fordensi.

CO : „ „ „ „ „ „ „ de Rufford.

E : „ „ „ „ „ „ „ „ ford.

D : „ „ „ „ „ „ „ „ forde.

S : „ „ „ „ „ „ „ „ „

A : „ „ „ „ „ „ „ „ „

W : „ Archiepiscopo Eboracensi et episcopo Exon. et abbati Fordensi.

C : No heading.

<sup>1</sup> om. C.

<sup>2</sup> om. C.

<sup>3</sup> C : bridelt. ; E : beren. ; CO : brindli. ; CL : bridlinctone ; M : prigilev. ;

F : prigilem.

<sup>4-4</sup> om. C.

<sup>5-5</sup> om. C, E, CO, M, F.

<sup>6-6</sup> C : electio eius.

<sup>7</sup> M : fuerit ; F : fuit.

<sup>8</sup> C, E, M, CO : proponeret.

<sup>9</sup> om. M, F, CO.

<sup>10</sup> om. E, M.F.

<sup>11-11</sup> M : episcopo de P. ; F : episcopo N.

<sup>12-12</sup> om. F, CO.

<sup>13-13</sup> E : abbati H (or N?)

<sup>14-14</sup> om. D.

<sup>15</sup> The rest of part i of the decretal is omitted in M and F.

<sup>16</sup> E : sicut.

<sup>17</sup> C : dispositionem.

<sup>18</sup> D : nostrorum.

<sup>19</sup> om. D.

<sup>20</sup> C : juraverint ; D : juravit.

<sup>21</sup> om. C ; E : recepissent.

<sup>22</sup> om. E.

<sup>23-23</sup> om. D.

<sup>24</sup> D : ut.

<sup>25-25</sup> E : super hiis ; C : om.

<sup>26</sup> E : absolverent.

<sup>27</sup> om. E.

<sup>28</sup> om. E, but supplied in margin by different hand.

<sup>29</sup> E, S : proprios.

<sup>29a</sup> S : convertit.

<sup>30</sup> D : consulto.

<sup>31-31</sup> om. C.

<sup>32-32</sup> E : utilitatem communem.

<sup>33</sup> E : accedit.



ad haec<sup>34</sup> quod inconsulto capitulo et penitus<sup>35</sup> ignaro<sup>31</sup> decimas et alias possessiones<sup>36</sup> ecclesiae pro sua voluntate concedit et<sup>37</sup> per sigillum capituli concessionem suam roborat<sup>38</sup> <sup>39</sup>et confirmat.<sup>39</sup> Fratres suos non more magistri,<sup>40</sup> sed severitate<sup>41</sup> tyranni <sup>42</sup>opprimit graviter.<sup>42</sup> Ita quidem, quod si quos ex ipsis interdum suae voluntati reperit contraire,<sup>43</sup> eos aut verberibus afficiat aut ecclesiastica censura condempnet. Eisdem<sup>44</sup> quoque fratribus convitia ingerit, et <sup>45</sup>universis se<sup>45</sup> durum exhibet et austerum, ita quod<sup>46</sup> nimia ipsius<sup>47</sup> austeritate nonnulli infirmitates <sup>48</sup>sui corporis<sup>48</sup> formident detegere et suas culpas sibi<sup>49</sup> timeant confiteri. Inter alia si quidem <sup>50</sup>prava ipsius<sup>50</sup> studia<sup>51</sup> invitis fratribus nulla<sup>52</sup> necessitate coactus emendi vilius vel vendendi carius studium exercere impudenter<sup>53</sup> dicitur; <sup>54</sup>cameram suam plus justo frequentat,<sup>54</sup> conventum declinat,<sup>55</sup> et talium personarum familiaritatem, sicut fertur, admittit, unde sinistra suspitio mentibus multorum<sup>56</sup> adhaeret. Quia<sup>57</sup> igitur non sunt haec sub<sup>58</sup> silentio reliquenda aut iudicio terminata<sup>59</sup> <sup>60</sup>iterum suscitanda,<sup>60</sup> nos de vestra prudentia et honestate confisi,

(ii) horum omnium<sup>61</sup> experientiae vestrae cognitionem<sup>62</sup> committimus,<sup>63</sup> per apostolica scripta precipientes,<sup>64</sup> quod<sup>65</sup> post harum literarum susceptionem utramque partem <sup>66</sup>ante presentiam vestram<sup>66</sup> convocetis<sup>67</sup> aut ad locum ipsum praedictum<sup>68</sup> accedentes qualiter supradicti<sup>69</sup> iudices in eadem causa processerint,<sup>69a</sup> veritatem <sup>70</sup>inquirere studeatis,<sup>70</sup> et si<sup>70a</sup> vobis constiterit eos <sup>71</sup>a praedictis fratribus iuramentum, quod praediximus, recepisse,<sup>72</sup> et antequam eos audirent, supradictum<sup>73</sup> priorem absolvisse: vos supradicto Waltero expensas, quas<sup>74</sup> ad nos veniendo <sup>75</sup>et a nobis redeundo<sup>75</sup> fecisse dignoscitur, integre de supradicta<sup>76</sup> ecclesia restitui faciatis et<sup>76a</sup> nichilominus <sup>77</sup>causam ipsam<sup>77</sup> super hiis omnibus, quae praediximus,<sup>78</sup> audientes per

<sup>34</sup> D : hoc.

<sup>35</sup> om. D ; A : penitus et ignorante ; S : penitus ingrato.

<sup>36</sup> C : praestationes. <sup>37</sup> om. C. <sup>38</sup> E : roboravit.

<sup>39-39</sup> om. C ; E : confirmavit. <sup>40</sup> C : magisterio.

<sup>41</sup> E : servitute. <sup>42-42</sup> A, S, C, E : graviter opprimit.

<sup>43</sup> D : contradicere. <sup>44</sup> D : laicis ; C : eis.

<sup>45-45</sup> C : durum se. <sup>46</sup> D, E : insert per.

<sup>47</sup> C : eius ; E : illius. <sup>48</sup> C : corporis sui. <sup>49</sup> om. C.

<sup>50-50</sup> C : ipsius prava ; D : prava ipsius istud jam veritatis gratibus.

<sup>51</sup> om. C, D. <sup>52</sup> om. C. <sup>53</sup> D : imprudenter.

<sup>54</sup> A, S : Cum autem suam voluptatem plus justo frequentat, conventum . . .

<sup>55</sup> C : declamat. <sup>56</sup> om. D. <sup>57</sup> D : Quoniam.

<sup>58</sup> om. C. <sup>59</sup> C : terminanda. <sup>60</sup> om. C.

<sup>61</sup> om. C ; E : omnem. <sup>62</sup> C : convictionem.

<sup>63</sup> D : commisimus with the corrector's dot under the "s".

<sup>64</sup> C : praecipimus. <sup>65</sup> M, F, C, S, A : quatenus.

<sup>66</sup> E : ad vos. <sup>67</sup> E : convocantes. <sup>68</sup> E, M, F, pariter.

<sup>69</sup> C : praedicti. <sup>69a</sup> M, F : processerunt et.

<sup>70-70</sup> C : inquiratis. <sup>70a</sup> CO begins here. <sup>71</sup> om. E.

<sup>72</sup> E : accepisse. <sup>73</sup> D, E : praedictum. <sup>74</sup> om. D.

<sup>75-75</sup> om. D ; E, CO : recedendo. <sup>76</sup> C : praedicta.

<sup>76a</sup> om. M, F. <sup>77-77</sup> om. C, E. <sup>78</sup> M, F : supradiximus.

fratres juratos <sup>79</sup>-veritate plenius cognita,<sup>-79</sup> quod justum <sup>80</sup>-vobis visum<sup>-80</sup> fuerit, exinde contradictione et <sup>81</sup>-appellatione cessante<sup>-81</sup> iudicetis. Verum si<sup>82</sup> praedictos iudices inveneritis iuramentum praescriptum<sup>83</sup> a praedictis<sup>84</sup> fratribus recepisse et post eorundem juratorum depositiones praefatum priorem absolvisse, nolumus hoc iterum<sup>85</sup> suscitari, sed absolutionem eius ratam et firmam habentes praedictum Walterum vel aliquem eorum, qui tunc <sup>86</sup>-stabant contra priorem,<sup>-86</sup> super hiis<sup>87</sup> vel aliis capitulis nullatenus audiat. Si vero in<sup>88</sup> aliquem<sup>89</sup> eorundem fratrum, postquam eos<sup>90</sup> praedictus Walterus<sup>91</sup> protectioni Romanae ecclesiae ac nostrae<sup>92</sup> supposuit, et ad nostram audientiam appellavit, aliquam sententiam eundem priorem constiterit protulisse, eam determinetis<sup>93</sup> auctoritate apostolica non tenere, nisi idem prior, sicut praefati iudices significaverunt,<sup>94</sup> ab eis absolutus quemquam illorum<sup>95</sup> alicui sententiae pro correctione<sup>96</sup> subjecerit.<sup>97</sup>

(iii) Ceterum, si jam dictus prior in causa optinuerit, ei ex parte nostra sub interminatione<sup>98</sup> anathematis prohibere curetis, ne alicui fratrum suorum occasione ista quicquam<sup>99</sup> molestiae vel gravaminis inferre praesumat; sed <sup>100</sup>-tam memoratum<sup>-100</sup> <sup>101</sup>-Walterum quam socios<sup>-101</sup> suos in praetaxata<sup>102</sup> ecclesia auctoritate nostra faciatis in pace ac<sup>103</sup> quiete manere, nisi praefatum priorem postquam inde<sup>104</sup> legitime fuerit<sup>105</sup> absolutus, praesumpserint iterum<sup>106</sup> molestare.

(iv)<sup>106a</sup> Verum si idem<sup>107</sup> prior vobis<sup>107a</sup> exinde<sup>108</sup> respondere<sup>109</sup> aut iudicio vestro<sup>110</sup> parere<sup>111</sup> contempserit, ipsum ab omni ministratione<sup>112</sup> auctoritate apostolica suspendatis, et, ne illi obediant, fratribus suis districtius<sup>113</sup> prohibere curetis. Porro, si idem prior duxerit appellandus<sup>114</sup> vos nichilominus appellatione remota allegationes <sup>115</sup>-et exceptiones<sup>-115</sup> hincinde studiose<sup>116</sup> conscriptas sub <sup>117</sup>-sigillis vestris<sup>-117</sup> clausas nobis mittatis, utrique <sup>117a</sup>-parti terminum<sup>-117a</sup> praefigentes, quo se debent cum ipsis<sup>118</sup>

<sup>79-79</sup> C : plenius veritate.

<sup>80-80</sup> om C, D, E, CO.

<sup>81-81</sup> C, E, CO : excusatione postposita.

<sup>82</sup> E inserts jam.

<sup>83</sup> E : praedictum.

<sup>84</sup> E : praefatis.

<sup>85</sup> om. D, M, F.

<sup>86-86</sup> C : contra priorem stabant.

<sup>87</sup> D : illo ; M, F : illis.

<sup>88</sup> C : contra.

<sup>89</sup> E : eam.

<sup>90</sup> om. F : D : eorum.

<sup>91</sup> om. D.

<sup>92</sup> F inserts se.

<sup>93</sup> C, M, F : decernatis ; E : determinatis.

<sup>94</sup> D : significaverunt.

<sup>95</sup> M, F : ipsorum ; E : eorum.

<sup>96</sup> D : recordatione.

<sup>97</sup> D : *adjecerit*, but amended by the corrector to *subjecerit*.

<sup>98</sup> D : interminione.

<sup>99</sup> D : quicquid.

<sup>100-100</sup> E : Walterum memoratum.

<sup>101-101</sup> C : suos socios.

<sup>102</sup> D : pertaxata.

<sup>103</sup> C, E : et.

<sup>104</sup> om. C, D, CO.

<sup>105</sup> C : fuit ; E : absolutus fuerit.

<sup>106</sup> C, E : inde.

<sup>106a</sup> CL begins here.

<sup>107</sup> E : praedictus.

<sup>107a</sup> S, A ; nobis.

<sup>108</sup> om. D.

<sup>109</sup> E : molestare, but dotted by the corrector.

<sup>110</sup> D, A, S : nostro (!)

<sup>111</sup> C : apparere ; E : stare.

<sup>112</sup> CL, S, A : administratione.

<sup>113</sup> E : districte ; om. C.

<sup>114</sup> E, C : appellandum.

<sup>115-115</sup> om. C ; E : et acceptationes.

<sup>116</sup> om. C.

<sup>117</sup> E : vestris sigillis ; CO : vestris clausas sigillis.

<sup>117a-117a</sup> CO : utrique terminum parti.

<sup>118</sup> om. C, D, W, CL.



attestationibus et allegationibus nostro <sup>119</sup>presentare conspectui,<sup>-119</sup> ita quidem, quod canonicis, qui contra priorem venerint, de bonis ecclesiae <sup>120</sup>sufficientes et necessarias<sup>-120</sup> expensas faciatis exhiberi. <sup>121</sup>Si vero in his exequendis omnes non potestis interesse, duo ex vobis hoc nichilominus exequantur.<sup>-121</sup>

<sup>119</sup> E, CO : conspectui praesentare.  
<sup>121-121</sup> This passage is only in E.

<sup>120-120</sup> om. E.

# THE LOST VILLAGES OF YORKSHIRE

## PART I.

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In a previous article I described the open-field village of Yorkshire<sup>1</sup> in its sixteenth and seventeenth century state. But even by the reign of Elizabeth there were Yorkshire villages which had not survived as open-field farming units, just as an examination of the glebe-terriers showed many others which were passing from open-field to enclosed fields during the period 1580/1720. The final set of enclosures was to be that of enclosure by Act of Parliament after 1720.

The villages which had already lost their open fields by the reign of Elizabeth may be divided broadly into two classes. In the one, the enclosure was the result of agreement between the property-holders of the village, who pass from the farming of scattered strips to the farming of compact hedged fields. The hedged fields might contain arable crops, sheep or cattle : in many cases a mixed husbandry of all three. The motive for such an enclosure might be called rationalisation : to re-arrange the landscape and the technique of land-use for greater productivity and greater profit. Such a re-arrangement might come under the censure of the law if it reduced the labour-force of a village in the process of rationalisation.

But the full force of denunciation by the law was reserved for the second class of enclosure, which will be the main concern of this study. In this second class the enclosure was for animal husbandry pure and simple. With the great reduction in the labour force which this permitted, the need for the husbandmen of the village had passed, and such enclosures as we shall be describing produced the depopulation of the village.

The village of lowland Yorkshire, like the village of the Midlands, had been created in the act of settlement and in the successive acts of clearing forest for fields. It was concerned in the earlier middle ages to produce a corn crop, at first for itself and its lord, and then for the market. Even where natural resources made it possible for the village to devote some of its effort to producing more specialised products, there remained a need for some corn-growing. The need arose mainly because of the local and unorganised nature of the market for corn. In a year of bad harvests (and there were many) no amount of money earned from salt-making or basket-making or charcoal-burning would lure corn into the open market. In pure self-defence the village maintained some of its man-power and its land for arable crops.

<sup>1</sup> Glebe Terriers and Open Fields, Yorkshire, *supra* p. 325.



This involved open fields and villages with plough teams even in what we might consider pastoral Yorkshire. In the Wolds and Dales were small lay lords with demesne flocks, and peasants with their flocks: but the village also had its open fields and its husbandmen.<sup>1</sup>

Over most of Yorkshire in the middle ages we may say that life in the countryside was concentrated mainly in its villages. Where expansion and colonisation was taking place, it was mainly from the older village centres. Indeed one of the most remarkable things about Yorkshire between 1100 and 1350 is the stability in the number of villages. If we compare the number of villages which the Exchequer clerks listed in 1086 with those which the Exchequer notes in its fourteenth century tax lists, we shall find remarkably little change. Apart from some settlement in the Ouse marshes and some extension of forest hamlets, there are very few new settlements in Yorkshire between 1100 and 1350. There is an increase in population and an increase in land under cultivation: but mainly conducted from the old centres of settlement.

But in the fifteenth century the tide turns. Villages which have appeared in tax lists since Domesday will disappear. Fields which have been under the plough since the Dark Ages turn back to grass. Churches lose their congregations and fall to ruins. Villagers leave their cottages, grass creeps over the streets and the sheep graze among the houses. The fields have become pasture: and so remain.

## II

In this article the modern appearance of such an abandoned village will be described and the description aided by an air photograph. The documentary sources through which the depopulation may be traced will form the next topic; and then it will be possible to suggest something of the causation and chronology of desertion. For this article a very brief sketch of the extent of the conversion to pasture within the county must suffice, but it is hoped that there will be space in subsequent numbers of the *Journal* for a village-by-village list which will include the relevant evidence for each village and a series of maps locating the sites in each of the Ridings. Such a list has already been compiled, and this article is based upon the evidence which has been collected for this county and for others.<sup>2</sup>

The further examination of sites by excavation is desirable. Preliminary digging at East Lilling, Wilstrop, Wharram Percy and Steeton has given some experience of what may be found, and it is hoped to continue work at Wharram Percy and Steeton

<sup>1</sup> The extents in the *Yorkshire Inquisitions*, Y.A.S. Record Series are the best illustration of this point.

<sup>2</sup> C. W. Foster and T. Longley *Lincolnshire Domesday* (Lincs. Rec. Soc. 1924. W. G. Hoskins in *Leics. Arch. Soc. Trans.*, xxii, pt. iv. (1948). M. W. Beresford in *Trans. Birm. and Mid. Arch. Soc.*, lx, p. 49 (1950) and *Geographical Journal*, 1951.

in 1951. But with the large number of sites, so scattered across the Ridings, it would require a lifetime of work and an army of labour to tackle each site, even if farmers were willing to give permission. It is hoped that the publication of this article and the subsequent lists will guide local historians to these sites, and the subject is one in which there are no proprietary rights.

In the same way, the detailed chronology of the desertion of each single site will only be achieved by minute examination of each single local history. Here, again, is a life-time's labour; and here again the local enquirer is in a particularly advantageous position. He will be in a position to refine the rough approximations of a list which dates a depopulation as "between 1490 and 1520" and he may be able to find the manorial records—our greatest need—from the undestroyed village and may throw just the light that is wanted upon the darkest point in the narrative, the years immediately preceding the final overthrow of the village. Here, again, there are no proprietary rights.

### III

A few words may be necessary on other causes of depopulation and other points in time where villages in Yorkshire were destroyed. Compared with the sheep depopulations of 1450/1550, such sites are few, but it would be unfortunate if an investigator came across such a site and found the evidence incompatible with our main argument in this article.

The post-Conquest "harrying" seems to have disposed of some villages. Footnotes to the Yorkshire Domesday show that some villages were beyond the editors' identification.<sup>1</sup> Some of these (as Mr. Ian Maxwell will be showing) are in fact identifiable, but others do remain unidentified and not likely to be represented by a surviving village under another name.

Again, the deliberate policy of the Cistercians in their acquisition of land by gift, purchase or exchange, seems to have been to create a farming unit, the grange, in which no other laymen were concerned. In a sense the Cistercian grange was not "deserted" since the *conversi* farmed there, but with the shift of emphasis to sheep even before the 1400's it does seem that some of these granges—as Greenbery near Scorton—represent former villages depopulated. There is some evidence that Baldersby suffered this change but was reprieved when the Abbot of Fountains found himself short of man-power and capital and forced to seek permission to let the estate at Baldersby out to laymen again.<sup>2</sup>

<sup>1</sup> *V.C.H. Yorks. W.R.*, ii, p. 191 and *Surtees Society* xlix, p. 487 (1866).

<sup>2</sup> Thorpe Underwood: 'amotis postmodum accolis redacta est in grangiam uberem frugibus et utilem usibus monasterii' (Dugdale, *Mon. Angl.* v, p. 305), see T. A. M. Bishop, *Monastic Granges, Eng. Hist. Rev.*, li, p. 193 (1936) for Baldersby; a similar recolonisation by lay settlers took place at Sleningford after the Scots raids of 1363 (*Surtees Soc.* xlii, p. 203).





*Photo. by kindness of Leeds City Librarian.*

FIG. 1. WHARRAM PERCY. Survey of the site from the 1st edition of the 6 in. Ordnance Survey, Yorks., Sheet 143 (Surveyed in 1850-1 by Capt. Bayly, R.E.). This should be compared with Fig. 1a. Adjacent fields are named "Wether Close" and "Hogwalk". Scale here *c.* 14 inches to the mile.





Destruction by the Scots seems to have accounted for the shrinkage of Gristhwaite near Thirsk, now represented by Gristhwaite farm, and we may attribute a few other lost villages to this cause. Other villages were ravished by the Scots, some more than once, but they quickly recovered.<sup>1</sup> When we survey the sources of enquiry, however, we shall find that it is usually possible to identify such depopulations as we have mentioned simply because they disappear earlier than 1400, whereas our sheep depopulations involved villages which appear in tax lists and other documents as still flourishing at that time. The danger of confusion is, in fact, small.

Destruction by the invasion of the sea is not subject to such limitation of date, but here again the number concerned is small and confined to the coast of Holderness.<sup>2</sup> In general we have not included in our lists any villages adjacent to the sea unless there is independent evidence (as at Grimston) that both the sheepmaster and the sea were involved.

The abandoned villages which we shall be studying have suffered another fate than death by fire or drowning. They are—in a sense—trodden underfoot by sheep. They are the result of deliberate conversion of arable fields to pasture, with a reduction in labour force and the departure or eviction of the husbandmen.

This movement seems to have reached its peak in the first decade of the sixteenth century, although we shall show that it probably began soon after 1470. The extent of the movement in Yorkshire will best be appreciated by the village-by-village lists which will form the substance of later parts of this article. Roughly the figures for Yorkshire are

East Riding	60
North Riding	80
West Riding	35

but the significance of the distribution pattern of the sites will be discussed with the relevant maps in a later *Journal*. It is possible to compare these figures with other English counties where enclosures of this type have been investigated. In Leicestershire Dr. Hoskins has recorded some 60 sites; in Lincolnshire Canon Foster listed some 100 settlements which had disappeared since the eleventh century, and many of them fall into our category. In Warwickshire the list runs to nearly 80 and trial samples seem to indicate that Northamptonshire, Nottinghamshire, Oxfordshire, Buckinghamshire and Durham might yield sub-

<sup>1</sup> Gristhwaite is described as a hamlet in an extent of 1314 (*Cal. Inq. Post Mortem Ed. II*, p. 322) and was destroyed soon after. It then forms part of Topcliffe for taxation purposes but may have been partly resettled, since Quarter Sessions in 1607 described it as having been depopulated, *infra*. p. 478. Mortham was destroyed by the Scots in 1346 and seems never to be re-settled (*V.C.H. N.R.* i, p. 110). In 1428 it is 'totaliter devastata et iacet frigida et modo nulla est ecclesia nec parochia' (*Feudal Aids*, vi, p. 303).

<sup>2</sup> T. Sheppard, *Lost Towns of the Yorkshire Coast*; J. A. Steers, *The Coastline of England and Wales*, p. 410, has a map of these drowned villages of Holderness.

stantial numbers and that there is scarcely an English county where a handful of examples could not be found. This is no trivial movement.<sup>1</sup>

From the accession of Henry Tudor in 1485 the general literary evidence for the depopulating enclosures begins to accumulate. We have legislation like that of 1488, 1489, 1515, 1563 and 1597. We have government enquiries like those of 1517 and 1548. We have attacks from the pulpit like the celebrated sermon of Bishop Latimer before Edward VI, denouncing the lack of vigour in enforcing the good anti-enclosure laws. We have the well-known passage in More's *Utopia*, where the sheep have become so strong and fierce that they eat up men. It becomes almost a commonplace of epigrams and social criticism. At the end of the century it turns up in *Pericles, Prince of Tyre*.

It is the weakness of this literary evidence that it seldom mentions examples and that figures are loosely bandied about. There are abundant *ex parte* statements and hyperbolic language. There is one plain untruth, and that is the common statement that the *total* population of England was falling. For those who wanted to urge this case the deserted village was an obvious and tempting text.

Historians have been nervous of using such evidence and quotations could be culled from Sir John Clapham, R. H. Tawney, E. F. Gay and E. Lipson, who were so cautious of accepting Tudor statements at their face value that they were led to deny the size and scale of the depopulations. They might also be pardoned for their scepticism since local historians and topographers had done so little to record and report the existence of tell-tale sites. In the absence of such information the deserted village was placed among the myths of the Tudor imagination.<sup>2</sup> Studies such as this may serve to give the depopulators their due, but the case will have to rest on places and dates.

When I first began to search for the sites of depopulated villages I did not imagine that their remains would be easily visible. It seemed unlikely that four centuries would leave traces of houses and cottages which had been nothing more than wood, wattle and daub. It seemed even less likely that, if such sites remained, they would have escaped the attention of local historians, or (where the parish histories had been written) of the contributors to the Victoria County History. In fact the sites are, in general, clearly visible but little noticed by local historians.<sup>3</sup> In one

<sup>1</sup> see f.n. 2 p. 475 *supra*.

<sup>2</sup> Sir J. H. Clapham, *Concise Economic History of Britain*, p. 197, modified by his editor in a foot-note. E. F. Gay in *Quarterly Journ. of Econ.*, xvii (1903) p. 594 "hysterical and rhetorical . . . condemned by its very exaggeration".

<sup>3</sup> There are some honourable exceptions in Yorkshire : in recent years Mr. T. S. Gowland's identification of two N.R. hamlets (*Place Names of N.R.*, p. 231) and the Rev. E. H. Rudkin's pamphlet on Newsham in Bempton (*Concerning some Historical Remains*). The unknown author of Y.A.S. MS. 41a listed 10 'ancient places decayed within 8 or 10 miles of Haslewood'.









*Air photo. ref.: CPE UK 2593,3030. (Crown copyright).*

FIG. 1a. WHARRAM PERCY (E.R.) from the air. The church and a modern building can be seen at the bottom (south). The complex site of the ?manor is at the north end. This plate should be compared with Fig. 1.



respect Yorkshire is fortunate. The editor of the *Nomina Villarum*, R. F. Skaife, published his volume<sup>1</sup> for the Surtees Society in 1866 and his index shows that he had most thoroughly examined the then new 6" Ordnance Survey Sheets for field names and farm names which might reveal the location of the villages with which his documents were concerned. The surveyor of the 6" sheet seems to have been a keen and conscientious archaeologist and the patent signs of village sites on the ground did not escape him. This means that on the first edition of the Ordnance Survey 6" sheets for this county many "site of village"s appear. Where possible, the survey carefully measured and drew in the earthworks which marked the houses and streets, and we have reproduced one such plan for Wharram Percy in Fig. 1.

The Survey did not include all the sites in Yorkshire, probably because other surveyors were responsible for other parts of the county. The area in which sites are most likely to be marked is that of the Wolds, and a smaller area around Ripon seems to have received attention. Not all the sites have been copied on to the later editions of the map but it is hoped that some may return to future revisions.

Verbal description of a site is much less impressive than a photograph and Plate 1a shows one such site from the air. Since the sites are too full of stones and other obstacles to the plough there has been little disturbance and they remain under grass, and most of the detail of the air photograph is also visible to the walker over the ground.

On the ground (as in the photograph) the features which stand out most clearly are those of streets and houses. The streets are represented now by hollowed-out trackways with sloping grassy sides. Their depth must be the result of centuries of movement by man, cart and animal during the village occupation, aided by the work of rainwater and wind in sweeping away the loose earth ploughed up by human passage. When the village was abandoned, grass began to grow, so that subsequent erosion has been checked. Indeed (as also on the house-sites) the grass shroud has acted as an accumulative covering both by holding blown dust and by the transformation of grass and roots into humus. At Wharram Percy four hundred years of deposit (on a site fairly exposed to wind and rain) had produced a cover of at least a foot and sometimes two feet depth.

The cottage sites at Wharram Percy are particularly clear in the air photograph and it was possible to begin excavation of wall-junctions directly from the information of this photograph. Behind the cottages run rectangular garths or crofts: these enclosed plots were not part of the open fields, which do not begin until the croft boundary is passed. In other air photographs<sup>2</sup>

<sup>1</sup> *Kirkby's Inquest* ed. R. H. Skaife (*Surtees Soc.*, xlix, 1866).

<sup>2</sup> Steeton air photo. ref. CPE UK 1879,3171. Old Sunderlandwick, CPE UK 1911,4165 and S541 189,4321. Cottam, CPE UK 1839,4136.

(such as that of the Steeton site or Old Sunderlandwick or Cottam) this firm boundary line between crofts and the first strips of the common fields is a very clear one. The regularity in the croft length gives a straight line or a smooth curve to this croft-field boundary and may have given arise to the suggestions that the villages used to have boundary banks around the house-area, relics of the protective pallisade of early settlement.

The houses or cottages now appear on the ground as depressions, their sides smoothed by turf, but often with the line of walls or banks visible under the grass and with sharp right-angled corners clearly to be seen. Erosion at these points, or the activity of rabbits or the action of passing hooves has sometimes exposed stonework at these corners for a few inches. In no village yet visited does continuous stone walling project from the grass. At Wharram Percy, being on chalk, there was easily available natural building material, and excavation revealed roughly-faced chalk blocks as the walling of even the cottages. In the villages on clay which have been examined, much less worked stone was apparent and may have been confined only to corners and points where the framework of a timber house took exceptional stresses. But it is also possible that the value of worked stone in clay country led to its being pillaged after the village was deserted.<sup>1</sup>

The fact that the house sites are depressions seems to suggest that the floors of houses were below the general level, giving a step down at the door and giving an earth backing to the external face of the wall for the first course or so above floor-level. No complete house site has been cleared, but the four walls of one at Wharram have been uncovered. The position of internal walls was not precisely determined.

In the Wharram photograph there is a set of earthworks which stands out clearly from either house or street. It appears as a complex of rooms and outbuildings and we tentatively christened it the Manor. Its outside walls were excavated to some three feet of continuous coursing and the quality of workmanship and the smoothness of facing was superior to that of the "house". Rather more pottery turned up here than in the "house" but the only positive finds were a knife-blade and a bone needle. A male skeleton in the "house" site provided excitement but did not add anything to our knowledge of the site.

What has been said of Wharram<sup>2</sup> could be said (with minor

<sup>1</sup> Pillaging took place at Newsham (E. H. Rudkin *op. cit.* p. 8) in fairly modern times. At Haterberg in Scalby the lessee of the manor had used the timber of the decayed buildings to make a hall. (PRO Exch. Sp. Comm. 2536 ; Exch. Dep. 27 Eliz M.6 and M.29).

<sup>2</sup> At Wharram the church stands alone. This characteristic feature of the lost village will also be found at Kirkby Fleetham. At Whorlton the ruined church seems to denote a movement of population away from the village, probably down to Swainby. At other sites (Steeton, for example) parts of a chapel form a portion of farm buildings. At others only fragments of stone remain (as at Thoresby, N.R.). At others (as Sleningford) the outline is only visible in air photographs (N 1033,4055).



variations) of all the Yorkshire sites which have been visited or have been examined in air photographs. None has failed to yield small pieces of medieval pottery to the most casual trial-hole digging.

We have been describing Wharram Percy from its earthworks, its air photographs and the *Survey* map. We are fortunate in having an extent of 1380 summarised in the *Calendar of Inquisitions Post Mortem*. From it we can have no doubt that in 1380 Wharram Percy was a village community. Excavation may even enable us to recognise some of the topography of this survey :

a messuage which the former vicar held with a cottage, a close and land

a cottage which John de Cawood lately held with gardens and land

9 bovates of demesne land laying throughout the whole field along the paths between the demesne lands and the lands of the tenants at will on the west side in a *cultura* (block of strips) called Medelgates . . . and so on in the same way throughout the field.

a messuage formerly in the tenure of Reynold Martynson with the 3 bovates

bovates in the tenure of John son of Robert

a messuage and 2 bovates of Walter del Hill

a messuage in the tenure of John Pryhet and Alice his mother

the like in the tenure of William del Hill

a third part of two bovates in the tenure of William son of Geoffrey

a cottage with land in the tenure of Walter Cawood

le cotegarth at the south end of the town

two cottages

three waste tofts

a water mill ; a common oven ; a kiln ; a pond called Milndam ; another pond ; common pasture.

As an example of a village whose existence was first discovered by air photographs, we may take Ald Erghes in the East Riding parish of Etton. Another lost village, that of Arras in Market Weighton, was already well-attested from Star Chamber records but while I was examining the air photograph of Arras, I noticed some significant earthworks which lay over the boundary in Etton parish. They consisted of a small group of houses—not much more than a hamlet—but with clear definition.<sup>1</sup> In layout

<sup>1</sup> Arras : *Yorks. Star. Ch. Proc.* (Y.A.S., Rec. Ser., xli, p. 9). Ald. Erghes : Skaife *op. cit.*, p. 80 ; *Place Names E.R.*, p. 230 ; air photo, CPE UK 1748/6197. Gardham : *Place Names E.R.*, p. 191 ; 1st ed. 6" O.S. map sheet 209. Holme Archiepiscopi : *Trans. E.R. Ant. Soc.*, ii, 68 and iv, p. 6 ; Torre MSS. (York Minster), p. 1187 ; in Y.A.S. Rec. Ser., xciv, p. 26 it is wrongly identified by Mr. Bishop as Holm on the Wolds ; air photo, 106G UK 1313/4296.

and size they resembled Holme Archiepiscopi or Raventhorpe in Leconfield, two other E.R. sites. I turned to Kirkby's Quest to see whether there was an unidentified vill in Etton. There was, and what was more, Skaife quoted a document which placed it on the boundary where Etton, Gardham, Arras and Heslesskew meet. This is just where the earthworks are, a little to the east of the Arras Belt plantation. Since Arras is a form of the earlier Erghes (a shieling) it is possible that Ald Erghes was the original site and that the settlement moved. It may not be a coincidence that a similar move is well attested in the neighbouring parish, for the modern Gardham was called Newton, since the older site was once up where faint signs can be seen in the ploughed fields. The old site of Gardham has been marked on the Ordnance Map since the first edition. No documentary evidence has yet come to light to date such movements of population. They seem to date after 1285 and it is always possible that they are connected with the Black Death.

The indications of a site are often so clear that there is no difficulty in locating a "suspect" village within its parish. The Ordnance Survey has marked the streets of some villages (like East Lilling) as "moats", so plainly are they indented. Where inspection on the ground is insufficient, the aid of the air-photograph may be enlisted. Other sign-posts may be found in field-names which may preserve the name of the village in its original form or in a distortion. The most useful sources here are the Tithe Award maps preserved at the Diocesan Registry. No full field-name survey (such as that in Warws.) seems to have been undertaken by the Place Name Society for their E.R. and N.R. volumes. It is to be hoped that the forthcoming W.R. volume will include work based on field-name surveys.

An attempt will be made in Part Two of this paper to give a logical account of the use of documentary sources in establishing the existence of lost village sites and in attempting to locate and to date them. This logical routine of enquiry was not in fact carried out for the three Ridings, for it represents the experience of trial and error in the investigation. But it is hoped that it will form something of a guide to those who may wish to follow a methodical investigation in another county.

But before documents are examined, there is something to be said for first glancing at the Ordnance Survey map. My first list of suspects (later convicted) was so drawn. The 1" map marks parish boundaries, and where the village still flourishes the village name does duty for the parish name. But where there is no longer a village the parish still has to be named, and the Survey does this by distinctive lettering. The name appears in block capitals. In this way I came to WILSTROP and STEETON in the West Riding, HINDERSKELFE, LILLING, THORNTON ON THE HILL in the North, and SUNDERLAND-WICK in the East. The new 2½" map is a welcome companion



for examining whether a lost village—already suspected from other sources—has its name perpetuated in a farm-name or a field-name. The marks of “moats” near a suspect site is another unwitting aid from the Ordnance Survey, for they often prove to be roads or fish-ponds of the village site.

From maps, and from the manuscript sources to be described in the later *Part*, we may draw up our list of deserted villages. The list for the three Ridings will also appear in a later *Part*. In a small number of cases we shall have documents to offer which are directly concerned with the depopulation and enable us to date it; and to name the depopulator. In many others our documents confirm the existence of a village as a substantial community in the Middle Ages, leaving us to infer its destruction.

For complete study, nothing less than a parish history for each site would be called for. If we are counselling perfection an excavation of each site may as well be added to the agenda. If this article encourages local historians to pursue lost village sites, then it will have stimulated the only people who will be able to tell the full story.

The general account which follows must, in the exigencies of limited space, put a cart before a horse. It must offer the general conclusions from the study; and it must also offer an honest appraisal of the limitations of our knowledge. Here again, it may be local investigators who will fill these gaps. Local history is a co-operative business, one sowing, another reaping. When the documentary sources come to be discussed it will be seen how much this present reaper depends on sowing by others.

## V

Perhaps the first generalisation to be made can be made briefly, for it depends on a fair amount of documentary evidence which will have to come later. It is this: the villages which we find deserted to-day do not appear to be emptied in the years of the Black Death or in the subsequent decades. They did not die by the plague, but by what John Rous of Warwick castigated as *pestis avaritiae*—the plague of money-grubbing. The evidence shows that the villages were not those granted tax relief as depressed and impoverished either in the 1350's or the 1450's. Nor have they disappeared when the tax payers for the Poll Taxes of 1377, 1379 and 1381 are counted. We must dismiss the Black Death as the immediate cause of the destruction, attractive and popular as this myth has been in those villages whose destruction had caught the local historians' attentive eye.

The examination of the Yorkshire lost villages confirms that (like the later enclosures) depopulations were not confined to a part of southern England, but were felt as strongly north of the Trent. Indeed, trial samples north of the Tees seem to show that lost villages will be found up to the Border: although

we have another depopulator, the Border warfare, to bring into the account on some of these occasions.

We might bring the Scots in the North Riding explanation, but we have good confirmatory evidence of fifteenth and sixteenth century sheep-enclosures in this Riding. In the East Riding and in the Vale of York we are in a countryside which is, in all but name, the Midlands. The quasi-Midland countryside reflects and moulded an enclosure history almost parallel with the Midlands. The forces which made for enclosure were not abashed by the Trent crossing.

Indeed there are good reasons to suppose that depopulation may have come earlier in Yorkshire than in the Midlands, and this may explain why the anti-enclosure legislation after 1518 is specifically directed only at the Midland counties. I myself have tried to show elsewhere<sup>1</sup> that the Tudor legislation for these Midland counties probably came too late, and that the author of the Discourse had spoken from facts when he claimed that

the greater part of the destruction of towns (=townships) was before the reign of king Henry the seventh.

Two arguments may be used to support an early date for much of the Yorkshire depopulation. In general pace of enclosure, partial as well as total, whether for grass or corn, the North was in advance of the Midlands. From another angle we may say that Parliamentary enclosure in Yorkshire finds much less open-field land awaiting enclosure than in the Midlands, and this is true even if we exclude the moorlands from our argument.<sup>2</sup> Nearly all Durham and much of Northumberland was enclosed by agreement before 1650 and the same seems to be true of the open-field villages of the northern Vale of York. When we come down to the East Riding and to south Yorkshire we have an enclosure time-table that is much more like that of the Midlands, with the majority of villages awaiting either enclosure by Chancery decree (c. 1650-1730) or by Act of Parliament (c. 1730-1850).

If the pace of non-depopulating enclosure was quickest in the north, and if the open-field economy offered less resistance to change we must not be surprised if the same is true of the earlier and more extreme depopulating enclosure.

From one point of view the open-fields were simply a form of farming forced by a shortage of cleared land into a rota of fallow and flock-manuring to keep the land in good heart. The shortage of good grasses put a premium on meadow values and caused the annual autumn slaughter of the stock which could not be maintained by the existing fodder. This held true in the years after a village was newly settled, when it was shortage of man-power

<sup>1</sup> *Trans. Birm. and Mid. Arch. Soc.*, lxvi, (1950).

<sup>2</sup> Much of the open field in the north of Yorkshire seems to have been enclosed in the reign of Elizabeth by agreements and, of course, without the destruction of the villages. Exchequer depositions and Duch. of Lancaster papers at the P.R.O. have a good deal of unworked information on this topic, which I hope to work on in the future.



which prevented the area of cultivated land being extended. As man-power grew, more and more land was won from the forest. No doubt when population fell or stabilised, then land reverted to its natural state. If population recovered, the land was re-cleared.

It does seem that where villages had easy access to natural grassland or to forest pasture they found it easy to slip away from open-field farming at an early date. This seems to have been the experience of Devon.<sup>1</sup> In other parts where there was plenty of waste easily available without competition from rival settlements then we get the in-field out-field village such as has been found in the forests of Warwickshire and Nottinghamshire or in Norfolk, coupled with early enclosure and individual ownership.

When more is known about the field-systems of the Wolds<sup>2</sup> we may expect to find approximations to in-field out-field there. But if it was availability of natural pasture which enabled the open-field to be abandoned early, then Yorkshire might expect to be high up on the list, and this fits in with what we know about the early enclosure of the open fields of the two counties to the North of the Tees.

But after emphasising this peculiarity of Yorkshire we must soon return to the general English picture. For the deserted village is a phenomenon north and south of the Trent. The incentives and opportunities which made themselves felt in the North are the same as those of the Midlands even if they differ slightly in their time-table.

If part of the opportunity is lawlessness or powerless laws, then the North might not be surprised that opportunities were taken here earlier than in a part of England a little nearer to the court of Chancery, the main hope of the dispossessed who thought they had claim to the protection of the courts. The North had its landlords, for whom 'overmighty' would be understatement. It took an active part in a civil war at a point in the fifteenth century when enclosing ambitions might well be stirring. It does not seem unlikely that, when fifteenth century sources become more worked over, the Agrarian Problem which Tawney found in the sixteenth-century Midlands might be abroad in the Yorkshire fields in the late fifteenth.

It is time, however, to look a little more closely at incentives to enclose. We need not waste words in proving that it was for sheep and that the sheep were wanted for their wool; it is not impossible that the alternative land-use, corn-growing, might have been suffering from disincentives; and we must look also at changes in tenurial relationships.

<sup>1</sup> I owe the Devon references to Dr. Hoskins. For in-field out-field see J. Saltmarsh and H. C. Darby in *Econ. History III*, p. 30; J. D. Chambers *Nottinghamshire in the 18th Century* (1932) p. 155; and M. W. Beresford in *Econ. Hist. Rev.*, xiii, p. 74, (1943) and *Tr. Birm. and Mid. Arch. Soc.*, lxiv, p. 101 (1946). See also R. H. Hilton *Social Structure of Rural Warws.* (Dugdale Soc. 1950) pp. 22-5.

<sup>2</sup> Mr. Harris of University College, Hull, is working on this topic.

There is some uncertainty as to exactly where the price for wool can enter into the argument. In a simple and attractive form it might be that wool prices were rising in the later half of the fifteenth century and thereby making attractive any conversion from a corn crop to a wool crop. This argument was subjected to criticism by H. Bradley in 1914, using the price data of Thorold Rogers, to show that wool was not rising in price, relative to corn, at the crucial stages. But Rogers' price sources have themselves been subjected to criticism, and a recent pamphlet<sup>1</sup> by Professor Morgan takes the fifteenth century wool prices as a particular example. He is also able to show that cloth prices rose substantially (by almost 50%) between 1441-50 and 1491-1500 and argues that the cost of the wool must have been an element in this rise. We may take his next words as the most tenable link between prices and the conversion to pasture, when he says

farmers had a double incentive to switch from wheat to wool production, both because the price of wool had risen compared to that of wheat, and because the rise in the cost of labour had encouraged a change from a crop using comparatively much labour to one using less.

Here we are back at the shepherd and his dog living alone at the deserted site.

The argument that wool was less costly than corn to produce seems beyond question, although it was an argument which Miss Bradley ignored while she knocked down the Aunt Sally of relative wool and corn selling-prices. But not until the Beveridge *Price History* investigations give us a good price index for this century can that part of the debate be concluded.

One other aspect of the price argument is worth a word. If supply is provoked to keep up with demand, we should, in fact, expect a stability in price and not a long-term rise, and it is an odd analysis which calls for high prices over a period to prove that producers did increase their supply of wool by conversion of corn lands to sheep pasture.

Doubts have been cast on the strength of the demand for wool on the evidence of figures drawn by Gray from the Customs accounts. They were interpreted by Unwin and Eileen Power to mean that the production of wool was declining. The basic figures are those for wool exports, and there is no question that these declined as the native cloth-making industry absorbed the English wool. The doubt arises when we attempt to measure whether the native cloth-production did compensate for the decline. A calculation for 1482 gives 29,100 sacks of wool which, as Eileen Power<sup>2</sup> said, "is still well below the level of the beginning

<sup>1</sup> E. V. Morgan *The Study of Prices and the Value of Money*, (1950), pp. 17-9. Harriett Bradley, *The Enclosures in England* (1918); Lipson, *Economic History of England*, I, p. 146.

<sup>2</sup> Eileen Power, *The English Wool Trade*, p. 37; G. Unwin, *Studies in Economic History*, pp. 6-7.





*Photograph by E. J. Lawton.*

FIG. 1b. Excavation at Wharram Percy, 1950. Inner side of ?manor-house wall. The floor-level can be seen at the right of the spade.





of the fourteenth century''. But although she does not say so, her figures for 1482 are 5,000 sacks above her figures for 1447, and if we are interested in the incentives to wool-growers it is a comparison between 1447 and 1482 which is most relevant to our enquiry. In a recent article<sup>1</sup> Professor Postan has helped to buttress our argument by concluding

(in) the late sixties or seventies of the fifteenth century . . . the industry resumed its uninterrupted progress.

The Unwin-Gray-Power figures, based on export statistics, can only make assumptions about home demand for finished cloth. It may be true that this was at a lower level than before the Black Death (although we do not know how much lower), but with expanding population after the mid-fifteenth century the numbers requiring cloth to their back would be on the increase. The general interpretation of the economic situation that fifteenth century 'gains were on the side of distribution, rather than of production' seems feasible, and if there was substantial prosperity among the upper peasant strata, then one might expect increasing consumption of English cloth about their persons and their families. We do not need to invoke a boom in the demand for wool if we can satisfy ourselves that demand in the late 1400's was steady, and that the advantages of the pastoral wage-bill over the arable wage-bill were sufficiently appreciated.

It is perhaps unfashionable but not irrelevant to ask what reasons contemporaries gave for the conversion. We need not believe them if we have reason to think them ill-informed or likely not to penetrate to the springs of economic action. But they, after all, knew sheep-masters.

It is the new plague, it is *pestis avaritiae* says John Rous of Warwick, contemplating the work of the depopulator. It is a lust for riches, says Latimer. *Omnes sunt lucri cupidi* runs the side-note to the 'Discourse of the Common Weal', which quotes Plato to make the point<sup>2</sup>

everie man is naturally covetouse of lucre and that wheare they se most lucre they will most gradly exercise . . . Theare is more lucre by grasinge of x acres to the occupier alone then is in tillage of xx ti., and the causes thereof be manie. One is, that grasinge requires small charge and small labour which in tillage consumes mucche of the maisters gaines. An other greate cause theare is, that what so ever thinge is rered uppon grasinge hath fre vent (i.e. export).

<sup>1</sup> M. Postan *The Fifteenth Century Econ. Hist. Rev.* (2nd ser.) II, p. 232. In two other articles Professor Postan links the retreat of settlement in the later Middle Ages with general economic fluctuations: *Some Economic Consequences of Declining Population in the later Middle Ages. Econ. Hist. Rev.*, 1939, and a paper in the *Rapports* of the 1950 Congress of the Historical Sciences at Paris, pp. 225-241. See also J. C. Russel, *British Medieval Population*, (1948).

<sup>2</sup> *Discourse*: ed. E. Lamond, p. 122.

It is the restriction upon exports and the price-fixing by the State and borough which seemed to the Doctor to add to the unprofitability of corn. Therefore his remedy to bring land back from grass is

with lucre they should be intised to occupie the plough.  
It is not unfair to conclude that his audience would know that with lucre their fathers had first been enticed to turn from the plough to the sheep:

it is Averice that I take for the principall cause thereof.

Such explanations are explanations of incentive. They do not explain opportunity. For this we must turn to the conditions of land-holding at the end of the fifteenth century. Could a would-be sheep-master buy out the husbandmen if he had the income? Could they expect to be able to buy holdings in a land-market elsewhere? All the evidence seems to say that they could.

Could a landlord move on the fringe of legality or beyond it to get rid of the obstinate who would not be bought out? We have ample evidence of that even when civil war did not silence the recourse to law-courts. Was there a general surplus of land relative to demand so that readjustments of this kind could be made, so that those who wanted to farm the best corn lands could do so, and those who wanted to take advantage of the potentialities of the grassy shires could also do so? There seems to be good evidence for this also. Land hunger had kept a good deal of land under the plough in the early fourteenth century which would be regarded as marginal in the fifteenth and sixteenth<sup>1</sup> or in the twelfth centuries. With the fall in population, begun before 1349 and accentuated by the plagues, it was no longer necessary to speed the plough so far or so extensively. The marks of the ploughing-up campaign of the early Middle Ages stretch well up out of the reach of the most ambitious plougher-up of War Agricultural Committees.<sup>2</sup>

But land which was marginal to the plough and to arable crops might well be quite the reverse for the grass crop and the sheep. When we know more about fifteenth century manorial accounts we may know how much of the ploughland left behind in the retreat went not to its natural scrub but down to grass. We do not have to explain how the sheep found their way to such pastures, since we know that even the village which devoted most of its attention to arable had its peasant flock as well as its demesne flock.

In the North we have even less need to look for a book wherein the lord or the farmer of the demesne might learn the lessons of pastoral husbandry. For we have the Cistercian abbeys

<sup>1</sup> "and thus did the former law-makers overslip tying the land once tilled to a perpetual bondage and servitude of being ever tilled" said a speaker in the Commons debate on anti-enclosure legislation in 1597.

<sup>2</sup> There is some remarkable evidence in the Cheviot Hills north of Clennell and Alnham.



who had been teaching by their example for three hundred years. Like the De Fortibus family in Holderness<sup>1</sup> or the Duchy of Lancaster in the Pennines and on the North Yorkshire moors they had demonstrated each sheep-shearing what there was to be gained out of pasture if you owned enough upland grazings, and if you were a large enough man to own a number of manors and organise your sheeps' lives for them. For the many-manored lord had another advantage. His own manors, if run as a unity, might make him independent of the grain market so that the advantages of specialising on non-corn crops in some manors could be taken without the accompanying dangers. The small man who specialised might find himself vulnerable in the lean years of a bad harvest : and there were many. It seems probable that some such reasoning as this kept many villages of the Wolds and the Pennine fringes firmly in an all-purpose rôle. Release came with a market organisation of maturity and certainty. Such a local market organisation has been shown by Gras to have been achieved by the late fifteenth century.

In general, evidence points to this story : the depopulators succeed in the late 1400's in villages where there are rather fewer people to buy up or to evict, other things being equal. But the Black Death did not present them with *empty* villages for the taking, and only in an indirect way was it the parent of our depopulations, in so far as it accentuated a land surplus, an active land market, and greater mobility for capital and labour, with the opportunity to think again about the best way to use existing resources. For centuries, tradition and land hunger had prescribed a balance between corn and grass which was weighted heavily towards the arable crop. So that in the history of settlement the deserted villages mark a re-alignment of land-use.

In the land-market of the fifteenth century the opportunity which had been the big man's became the small's. Out of vacant holdings you could begin to build up your sheep-run, if only in your mind. Out of purchased holdings you or your son might all but complete the consolidation. If there was an obstinate man in the way there were well-known ways of disposing of him, even under the eye of the courts and sometimes in the courts. You then had your sheep-run.

If you were lucky you managed to achieve most of this before 1489. If you were unlucky Wolsey's commissioners of 1518 heard witnesses describe your final eviction and how the evicted

lamentando abinde inviti recedere coacti fuerunt et ociosi exinde permanerunt et sic miseram vitam extunc duxerunt et ex verisimili sic misere obierunt.<sup>2</sup>

If you were luckier still your enclosure did not find its way to

<sup>1</sup> for the sheep farming of the De Fortibus family see N. Denholm Young, *Seignorial Administration*, pp. 153-16 (1937).

<sup>2</sup> I. S. Leadam, *Domesday of Inclosures*, p. 431.

the Commission even if committed after 1488, and you slept in peace.

The presentments in Leadam indicate that both lay and monastic landlords had responded to the incentive. Among the names for Yorkshire are several distinguished knights of the shire. In other counties London merchants join abbots and peers in the ranks of the sheep-masters. A familiar story tells of one peer taunted with a sheep-farming ancestor and answering that his tormentor's ancestor was, at the same period, being hung drawn and quartered. We must doubt Eileen Power when she said<sup>1</sup>

whoever was enclosing in the last part of the fifteenth century it was certainly not the old landlord.

Among some newcomers, he was there, as Dr. Hoskins' studies<sup>2</sup> of the Leicestershire gentry, hawking and depopulating in company, have shown.

By the mid-sixteenth century the worst is over. It is true that depopulation is still a word in common coinage but it is used in the reign of Elizabeth for *partial* depopulation of villages. It is true that the Midland rioters of 1607 said that they had heard of 340 townships destroyed<sup>3</sup> but very few had been destroyed within the lifetime of the rioters. But the memory lingered, and the word had useful emotional force in the attack on contemporary enclosers whose aims were more modest. In 1598 Thomas Bastard writes his epigram in sonnet form addressed to the Queen.<sup>4</sup>

The grass grows greene where little Troy did stand . . .  
O Prince, the wrong is thine for understand  
Many such robberies will undoe thy land.

By that year the shroud of grass would indeed have crept over the abandoned buildings: there would be very few freshly deserted sites.

The virtual cessation calls for a comment. If we have explained the beginning of the movement in terms of economic forces, of human appetites, of political opportunity and of inaccessible law courts, then we ought in fairness to invoke some of these factors in explaining why the movement did not go further. There can be no doubt that public opinion had become vocal and almost unanimously indignant. Latimer complained that good laws existed but had not been enforced. It is true that legislation did not prevent continuing conversion, and the ear of the sheepmaster was observed not far from the Commons door. But it does look as if legislation and the Inquiries had helped to bring publicity to bear on the depopulator. There is not much evidence that success was won in forcing rebuilding of villages, but the would-be depopulator may have been deterred.

<sup>1</sup> *op. cit.*, p. 40.

<sup>2</sup> *art. cit.*

<sup>3</sup> quoted by E. F. Gay *art. cit.*

<sup>4</sup> T. Bastard : *Chrestoleros*, book iii epigram 28 (1598).



In this matter economic advantage may also have been moving against conversion. If the movement had begun with a swing towards an optimum use for the grassy shires we shall not be surprised if, at some point, a balance of advantage was reached. It would have been as profitless to leave England a landscape of sheepruns as it was seemingly profitless fifty years earlier to leave a landscape of arable open-field. The pressure of population was beginning to make it worth while thinking seriously of corn growing as a profitable undertaking and the Discourse finds its advice being taken.

with lucre they should be intised to occupie the plow.

The landlord at the end of the queue of opportunity, who has just manoeuvred himself into the position to do what he likes with his own, may find it possible to think twice and to enclose now (in the 1550's) for improved and rationalised corn growing. There will still be barking from the public watchdogs, sporadic legislation against him, sporadic government enquiries. There will still be talk of depopulation, of decay of hospitality, of decay of artillery. But if we look at the map we can tell that something different has happened. The enclosures of the earlier period produced a map of the sheep-run covering a whole parish, emptied of its village. The enclosures of the later sixteenth century produced a map of a village and hedged fields. The "old enclosures" of this type were to form a model for envious improving landlords in open-field parishes for another two hundred and fifty years. There are no cases of landlords holding up the deserted village as a model and when Goldsmith comes to write about 'Auburn'<sup>1</sup>

where wealth accumulates and men decay

he finds

some of my friends think that the depopulation of villages does not exist but I am myself satisfied. I have taken all possible pains in my country excursions for these four or five years past to be certain of what I allege.

(*end of part one*)

<sup>1</sup> Oliver Goldsmith, prefatory letter to Sir Joshua Reynolds on *The Deserted Village*. Goldsmith's poetic village was "Auburn". I do not think it is more than coincidence that one of the E.R. lost villages is Auburn in Carnaby. Commentators have not satisfactorily located "Auburn", but Ireland is in favour.

## THE STATIONS OF THE YORK CORPUS CHRISTI PLAY.

By ANNA JEAN MILL, M.A., Ph.D.

Again and again the familiar story of the pageant stations in the York Corpus Christi play has been told. With or without alloy from other cycles and other town records, with or without individual embellishments, the literary historian has re-iterated the meagre data from the local York historians, from Lucy Toulmin Smith's introduction to her *York Plays*, and, though more rarely, from the later publications of Dr. Maud Sellers. A new generation of students of medieval drama will eagerly cull some fresh items from the Rev. Angelo Raine's invaluable volumes of *York Civic Records* to eke out the scanty details.

Yet there still remain, virtually untapped, certain unpublished manuscripts containing material of peculiar interest in regard to the York pageant stations. I refer to the Chamberlains' Rolls and Account Books in the City archives, whose entries were used only spasmodically by Robert Davies<sup>1</sup> (and, for his lists of the pageant stations, not before the sixteenth century); whose existence prior to 1519 was, on her own statement, unknown to Lucy Toulmin Smith;<sup>2</sup> and whose publication is outside the scope of the present series of *York Civic Records*.<sup>3</sup>

Though, for the sake of completeness, I shall refer to some already published material, I shall dwell especially, in this article, on hitherto unpublished records; and this, in the case of the Rolls particularly, with a full sense of the pitfalls to which one exposes oneself in basing evidence on a relatively few random survivors—sometimes mutilated, often faded—of a long series.

By 1394 the route of the Corpus Christi play through the streets of York is already an established tradition, to judge from the well-known minute in the *Memorandum Book* decreeing that all the pageants of Corpus Christi should be played "in locis antiquitus assignatis et non alibi sed ut sicut premunientur per maiorem ballivos et ministros suos", infractions of the decree to be punished by a fine.<sup>4</sup> The earliest extant detailed list of stations is also derived from the *Memorandum Book*. In a late fourteenth century complaint made by the Commons regarding the undue dispersal of the pageants throughout the City, so that all cannot be played "mesme le jour solounc ceo com il deverount estre",

<sup>1</sup> *Extracts from the Municipal Records of the City of York*, London 1843.

<sup>2</sup> *York Plays*, Oxford, 1885, p. xvii.

<sup>3</sup> Yorkshire Archaeological Society, Record Series, Nos. 98, 103, 106, 108, 110, 112.

<sup>4</sup> Maud Sellers, *York Memorandum Book*, Surtees Society, Nos. 120, 125, London, 1912-15, I, 47.



it is requested, *inter alia*, that the pageants be played only in places already assigned or else to be designated at the discretion of the Mayor and Council. The twelve stations named, beginning with the gates of Holy Trinity in Micklegate and ending with the Pavement, are identical in all essentials with those named in the minutes of the Council meeting of June 7, 1417, which recapitulate a decree of 1398-99, in all probability the very decree made in response to the complaint of the disaffected Commons. At the same meeting, in June 1417, it is further decreed that private owners who make money by renting out seats on scaffolds erected on community ground shall pay a third of their drawings to the City Chamber. A few days later, on June 12, 1417, it is decreed that the play will be played before the doors and houses of those who are willing to pay most to the Chamber.<sup>1</sup>

Through such ordinances, then, we see that by early in the fifteenth century, though the number of stations may vary, the main route of the Corpus Christi play is confirmed and the terms of the leases defined. In the material now to be presented, further details are given of the number and location of the stations on the traditional route, of the lessees, of the rents paid for the individual stations, and of the free places for town officials and dignitaries.

The earliest list of *loca* is that for the 1454 Corpus Christi play.<sup>2</sup> The Abbot of Fountains and the Wardens of the Church of St. John are among the lessees, paying a sum of 11s. 4d. "pro eodem ludo habendo coram tenemento et cimiterio Sancti Johannis predicti". Other items, which might be more fully deciphered with further study of the very faded Roll in a better light, include 10s. and 6s. 8d. for Stanegate stations, 3s. 4d. for a station in the Mercery, and 4s. for one on the Pavement, together with other sums of 13s. 4d. (twice), 10s. and 12d., for other *loca*. The sum of those individual *loca* corresponds with the clerical *summa* of £6. 2s. 4d.; which would seem to indicate either that the traditional first station at Trinity Gates was at this time passed over or that, as in the sixteenth century records, it paid no rent. Two other fifteenth century lists of *loca*, those for the performances of 1463 and 1468, deserve reproduction *in extenso*.

### 1463<sup>3</sup>

Receptio pro luis corporis Cristi in certis locis hoc anno habendis

Et de xiiij s iiij d    de Nicholo haliday et Ada hudson pro licencia  
                                  lusorum corporis cristi habenda exopposito  
                                  tenementum in tenura iuxta portam Sancti  
                                  Trinitatis in mikilgate hoc anno

<sup>1</sup> Maud Sellers, *York Memorandum Book*, I, 51; II, xliii ff. ; 62 ff.

<sup>2</sup> Chamberlains' Rolls, Case 3.

<sup>3</sup> Chamberlains' Rolls, Case 3. (For dating see Appendix IA of this Article).

Et de vj s viij d	de Thoma Scauceby <sup>1</sup> domino Thoma Wright <b>Thoma</b> Kilburn et aliis in ij <sup>do</sup> loco
Et de xj s	de Johanne ffoulford et aliis in tercio loco hoc anno
Et de xiiij s viij d	de Johanne Beese Ricardo Sawer Thoma Barbour et aliis exopposito ecclesiam Sancti Johannis Baptiste videlicet iiij <sup>to</sup> loco
Et de x s	de laurencio marsshall Johanne Wathe et aliis in connyngstrete loco quinto
Et de vij s	de Roberto Butler Thoma hegeson et aliis loco vj <sup>to</sup> in connyngstrete
Et de x s	de Johanne Shirwod et Roberto Waller <sup>2</sup> et aliis loco septimo
Et de vj s vj d	de Ricardo Key et aliis in Stayn gate loco octauo
Et de ij s iiij d	de petro paret Johanne Stalby <sup>3</sup> et aliis in le mercerye loco nono
Et de ij s	de Thoma Wrangwyssh et aliis super paumen- tum loco decimo

Summa iiij fi ij s vj d

1468<sup>4</sup>

Receptio denarium pro locis dimissis pro ludo in festo  
Corporis Cristi

Et de x s	de Nicholo haliday et Adamo hudson pro licencia ad habendum lusos ante ostiam suam ad porte ( <i>sic</i> ) Sancte Trinitatis
Et de xiiij s	de Thoma Scauceby <sup>5</sup> Thoma Kilburn et <sup>6</sup> aliis in secundo loco
Et de xvij s ix d	de Relicta Johannis Toller et aliis in tercio loco in mikilgate
Et de xvj s	de Thoma Barbour cristofer Thomlynson Ricardo Croklyn Ricardo Sawer et aliis in iiij <sup>to</sup> loco ad finem de Northstrete
Et de vj s viij d	de Ricardo Russell Johanne Smyth et aliis ad finem de Connyngstrete in quinto loco
Et de viij s	de Alexandro menerous Nicholo Saundersoun et tenemento communitatis exopposite in sexto loco
Et de xiiij s iiij d	de Thoma Aylde et aliis in medio de Connyn- gstrete in vij <sup>o</sup> loco

<sup>1</sup> Mayor in this year.

<sup>2</sup> Or "Walker".

<sup>3</sup> Or "Scalby".

<sup>4</sup> Chamberlains' Rolls, Case 3. (For dating see Appendix IA).

<sup>5</sup> *Supra*, n. 2.

<sup>6</sup> MS. has "ad".



Et de ix s	de magistro fraternitatis Sancti Cristoferi Ebor. tenentibus sancti leonardi et aliis ad finem de Stangate viij <sup>o</sup> loco
Et de viij s	de Willelmo Gilmyn et <sup>1</sup> aliis in medio de Stanegate loco ix <sup>mo</sup>
Et de v s viij d.	de Johanne Wilkynson et aliis ad portas monasterii loco x <sup>mo</sup>
Et de iij s	de Johanne Scalby <sup>2</sup> petro paret et aliis in la mercery loco xj <sup>mo</sup>
Et de (blank)	de (blank)
Summa cxj s v d <sup>3</sup>	

The 1486 "Dimissio locorum pro ludo corporis cristi"<sup>4</sup> gives rents received for 12 places, only two of which, the first and the last ("apud mikelith" and "super pavementum") are located, though others might be deduced from the names of the lessees. With the turn of the century the extant lists, as will be seen, are less scarce. For the performances of 1501, 1505, 1508, 1509(?), 1515(?) and 1520 to 1528 inclusive,<sup>5</sup> details survive regarding the number of stations and the names of those renting places, but it is not until the chamberlain, or his clerk, comes to the 1538 and 1542 performances that he once more gives us a full record of the number of stations, their location, the names of those renting, and the amounts of the rents.

1538<sup>6</sup>

Leses of Corpuscristy play this yere

In primis the ffyrst place at Trenytie yaitis where as the comon Clerke kepys the Registre wherefore that place goith free	nihil
Item the second place in Mykkylgate lattyn by the Chamberleyens to Edmond (blank) glasier for yat ther was certen pagiantis past or he tuyk it	xx d
Item the Thyrd place at owsebrygend lattyn to Thomas ward barbour for	ij s
Item the ffourte place at the other end of owsebryg lattyn to John Hogeson maryner	xx d
Item the ffyfte place at Sporyer gate end lattyn to Nycholes dykson barbour for	iiij s    iiij d
Item the sext place At the Common hall where my Lorde Mayer & his bredren ar accustomyd to be wherefore that place goith free	nihil

<sup>1</sup> MS. omits "et".

<sup>2</sup> Or "Stalby".

<sup>3</sup> Very faded. Possibly "x d", but the individual rents add to £5. 11s. 5d.

<sup>4</sup> Chamberlains' Rolls, Case 4. (For dating, see Appendix IA).

<sup>5</sup> For undocumented items from Rolls and Books here and throughout this article, see Appendix 1.

<sup>6</sup> Chamberlains' Books, III f. 9 (new foliation).

Item the sevynt place in Stayngate lattyn to Mathewe hartlay Taillour	ij s
Item the eght place at the Mynster yaitis lattyn to m <sup>r</sup> lytster and wyllm Mullans barbour for	iiii s
Item the neynt place in petergate at my lady wyldis where as my Lady Mares and other aldermen wyffis were to here the play/wherefore that place goyth free	nihil
Item the tenth place at gotheromgate hede lattyn to m <sup>r</sup> lampton merchaunt and Richard Breray Goldsmyth for	ij s
Item the ellevynt place of the payment whiche place is accustomyd to goe free	nihil
Summa xvj s viij d	

1542<sup>1</sup>

In primis the furst place at the Trinyte yaittis where yat the common Clerk kepis the Regester and yarefore yat place hathe been accustomed to goe free	nihil
Item the second place to John Blakey for	xviij d
Item the iijde place to John Wylkynson for	xx d
Item the iiij <sup>th</sup> place at ousebrygend for mr tomas ward	xx d
Item the vth place to mr hewetson at ouse brygend for	ij s
Item the vj <sup>th</sup> place to John Ellys at Ousegateend for	ij s
& also to (blank)	
Item the vij <sup>th</sup> place to Wydoe Glasyn for	xx d
Item the viij <sup>th</sup> place to mertyn metcalf for	ij s
Item the ix <sup>th</sup> place at the common halle for my lorde Mayer & his bredren whiche place is free yarefore &c.	
Item the x <sup>th</sup> to mathewe hartley for	ij s
Item the xj <sup>th</sup> place to m <sup>r</sup> cooke & Jamys wod for	ij s
Item the xij <sup>th</sup> place to trastym lytster & laurence thomlynson at mynster yayte for	iiij s    iiij d
Item the xiiij <sup>th</sup> place in petergate to m <sup>r</sup> Gayle alderman for	xvj d
Item the xiiij <sup>th</sup> place at Gotheromyateend to John Grayves Carver for	ij s
Item the xvth place in Colyergate to Willm Adenett (?) for	xx d

<sup>1</sup> Chamberlains' Books IV, f. 37.



Item the xvj<sup>th</sup> place of the payment before the  
howse of Jamys Jakson merchaunt where as  
the lady Mayres & her systers dyd stond  
yarefore nihil to the common chamber

Summa xxiiij s x d

From a minute in the House Books we learn that in 1551 the stations are limited to 10 (named) because of the plague;<sup>1</sup> but in 1554 there are again 16 stations, which "considerable increase", Davies implies, overlooking the reason for contraction in 1551 and the list of 1542 with its 16 stations, is due to the "renewed eagerness" of the people, under Mary Tudor, for their play.<sup>2</sup> As this is the last *detailed* record of the stations and their rents (and, indeed, the last Chamberlain's list of stations at all) I cite the account, though already printed in Davies, from my own transcription, which has some minor variants.

### 1554<sup>3</sup>

Leases for Corpuscristy play this yere

The ffurst place at the Trinitie yaitis where the  
Clerke kepys the Regyster

The second place at harrysons & ffarewedderis      iiij s    iiij d

The thyrd place at the thre kingis in Mykkylgate      iiij s    iiij d

The iiij<sup>th</sup> place at George whytis enenst St John  
Church      iiij s    iiij d

The v<sup>th</sup> place at Gregory pacokis at owse bryg end  
at the Staith head      ij s

taken by m<sup>r</sup> watson alderman at his request

The vj place at Conyngstrete end enenst Castlegate  
to Robert Smyth      iiij s    iiij d

The vij place at m<sup>r</sup> Appleyerdis Alderman      xvj d

The viij<sup>th</sup> place at Martyn metcalfis in Conyngstrete      iiij s    iiij d

The ix<sup>th</sup> place at the Common Hall to my lorde  
Maiour and his bredren      nihil

The x<sup>th</sup> place at Robert Bylbowes in Staynegate      iiij s    iiij d

The xj<sup>th</sup> place at the Mynster yaite to Antony  
Dynouson<sup>4</sup> & Robert Staynburne      iiij s    iiij d

The xij place at M<sup>r</sup> Gaylls alderman      xvj d

The xiiij place at the Gotheromgate hede to Edward  
Rayncoke & Kytchynman      iiij s    iiij d

The xiiij place at Willm Marstons in Collyergate      iiij s    iiij d

The xv place at m<sup>r</sup> Bekwyths at hosyerlayn end  
where as my Lady mayres & her systers lay      nihil

<sup>1</sup> Raine, *op. cit.* V, p. 56; and see Appendix III of this article.

<sup>2</sup> *Op. cit.*, p. 264.

<sup>3</sup> Chamberlains' Books IV, p. 59 (new pagination).

<sup>4</sup> Possibly "Dyiconson".

The xvj place vppon the payment

nihil

Summa xxxiiij s. viij d.

Only once in the reign of Elizabeth, in 1569, does the list appear for a Corpus Christi play, and then in a House Book, with no indication of the rents.<sup>1</sup> The same is true for the 1572 Pater Noster Play, which seems to have used the main Corpus Christi stations.<sup>2</sup>

If the surviving records run true to form, some interesting facts may be deduced. The table of the number of the stations and their rents given in Appendix II shows clearly that the financial heyday of the York Corpus Christi plays was in the fifteenth century. With the sixteenth century it will be obvious that the receipts fall away considerably, reaching the nadir with a mere 19s. 6d. and 16s. 8d. respectively for the 1523 and 1538 performances. Nor do the receipts increase proportionately with the number of stations. The all-time high, in terms of this table, is recorded for the 1454 play with its 9 (possibly 10)<sup>3</sup> stations producing a grand total of £6. 2s. 4d.; the 16 stations, on the other hand, in 1542 and 1554 bring in only £1. 4s. 10d. and £1. 14s. 8d. respectively.

One factor in the diminution of the chamberlains' receipts is the sensational drop in the rents for the individual stations, sometimes leased to individuals, sometimes to groups (e.g. Matheo Hartley *et sociis*, 1527; Ricardo Key *et aliis*, 1463). In the account for 1468, already given in full,<sup>4</sup> it will be noted that three of the eleven *loca* yield rents of 14s., 16s., and 17s. 9d. For the sixteenth century, on the other hand, the highest rent recorded is 6s. 5d. in 1509 (?) for the third station for John Ellis, Richard Gibson, *et. al*;<sup>5</sup> after which, with an occasional 6s., the rents fall to 5s. and under. For 1538, the year of the lowest total (16s. 8d.), the individual rents range from 4s. to 1s. 8d., which low sum, in one of the two cases for which it is recorded, was a concession to the lessee "for yat ther was certen pagiantis past or he tuyk it".<sup>6</sup> For 1554, the last year of recorded rents, the range is from 3s. 4d. to 1s. 4d.<sup>7</sup>

The other factor in the diminution of revenue is the increasing number of free places apparently pre-empted for the

<sup>1</sup> Raine, *op. cit.*, VI, p. 149, who, however, omits the eighth *locus* (see Appendix III, 1569. Dr. Sellers in an early article in the *English Historical Review*, IX (1894), p. 301, cites the list inaccurately and omits the 13th and 14th places.

<sup>2</sup> House Books, XXV, f. 15.

<sup>3</sup> Appendix, III, n. 1.

<sup>4</sup> *Supra* p. 494.

<sup>5</sup> Chamberlains' Roll, Case 4.

<sup>6</sup> *Supra* p. 495.

<sup>7</sup> *Supra* p. 497. The range for individual rents over the whole recorded period, incidentally, is from 17s. 9d. (1468) to 1s. (1454, 1501, 1505, 1522), though certain even lower rents (e.g. 10d. and 8d.) are paid for a share of a station, as will be seen later in my discussion of the mayoral *locus*. The range given by Sellers, in the article already cited, of 3s. 4d. to 13d. is too narrow for even the sixteenth century, of which she is speaking.



use of officials and dignitaries. In the two earliest lists, those for the 1454 and 1463 plays, even the Pavement station, as we have seen, brings in a small sum. The last item in the 1468 account is perhaps inconclusive.<sup>1</sup> But, by 1486, at least, the tradition is established that the Pavement goes rent-free, for the last item in the list for that year runs: "De aliquibus denariis receptis pro firma xij loci viz super pavementum/ non recepti quia non dimittitur ut in compotis precedentibus".<sup>2</sup> For 1508 the rent from the last station is "nihil" and for each year from 1520 to 1523 the payment from the last station is left blank. For the years 1524, 1527, 1528 (Roll), the 1528 entry is typical: "super pauimentum hoc anno nihil"; while for 1554 the entry is equally laconic in the vernacular: "The xvj place vppon the payment nihil". The 1538 entry adds: "whiche place is accustomed to goe free". As to the occupants of this station, the records are uninformative. Once, at least, as appears in the 1542 list, the scaffold on the Pavement before the house of James Jakson, merchant, is honoured by the Lady Mayoress and her party.

As to whether or not it was customary in the early years of the Corpus Christi play for the Common Clerk to keep the play register at Trinity Gates, there is no positive evidence. Rents seem to be paid for the first place in the usual way.<sup>3</sup> In 1501, however, the first item in the list of stations runs: "Et de firma loci dimittitur Willelmo Catterton et aliis vltra locum communis clerici iij s. xj d.",<sup>4</sup> which would seem to indicate that private scaffolds—William and Richard Catterton are regular patrons at this time—shared the station with the place assigned to the Common Clerk. Later, the first place, perhaps in the absence of private bidders, seems to have been reserved for the sole use of the Common Clerk. "Primus locus communi clerico", with no payment following, is the regular entry for the years 1520 to 1524 inclusive, 1525 (name blank), 1526, 1527 ("Primus locus coram communi clerico"). In 1528 (Roll) we have the first specific statement as to the function of the Common Clerk at Trinity Gates: "de firma primi loci nihil quod communis clericus habet" or (Book) "De primo loco dimittitur &c coram communi clerico";<sup>5</sup> or in more amplified form in 1538: "In primis the ffyrst place at Trenytie yaitis where as the common Clerke kepys the Registre wherefore that place goith free nihil";<sup>6</sup> and again in 1542: "In primis, the furst place at the Trinyte yaittis where yat the common Clerk kepis the Regester and yarefore yat place hath been accustomed to goe free nihil";<sup>7</sup> and in shortened form in 1554. In passing, it may be noted that the clerk may at times

<sup>1</sup> *Supra* p. 495.

<sup>2</sup> Chamberlains' Rolls, Case 3. (For dating, see Appendix IA).

<sup>3</sup> See, however, my earlier discussion of the 1454 list, *supra* p. 4.

<sup>4</sup> Chamberlains' Rolls, Case 5.

<sup>5</sup> Chamberlains' Rolls, Case 6; Chamberlains' Books, III p. 232 (and for date, see Appendix I, Books, n. 3).

<sup>6</sup> *Supra* p. 495.

<sup>7</sup> *Supra* p. 496.

have delegated his duties to a deputy, to judge from the following item of expenditure in connection with the 1542 play: "Item paid to the seruaunt of the common clerk for kepyng of the Register at the furst place where as the play of Corpus Cristi was playd of Corpus Cristi day this year Accustomed xxd."<sup>1</sup>

From the early years of the sixteenth century the Chamberlains' records would seem to indicate that a certain station, frequently, but not invariably, the sixth, but presumably always that at the Common Hall, was reserved for the mayor and aldermen ("domino maiori et fratribus suis"). In 1520, to be sure, Nicholas Baxter seems to have paid 10d. for a scaffold at the station allocated to the mayor and aldermen. The 1528 list in the Chamberlain's *Roll*, too, indicates some revival of private ownership of a scaffold for a nominal sum at or near the mayoral *locus*: "de firma viij<sup>ui</sup> loci Archibaldi Foster pro percella ffirmie inde quod dominus maior ibidem stetit viij d."; the duplicate account in the Chamberlain's *Book* adding that the said lease was "ex altera parte strati". But otherwise in the extant sixteenth century lists, wherever the entry is legible and explicit, the rent received for the Lord Mayor's station is either left blank (1521, 1522, 1524, 1527) or is inscribed as "nihil" (1538, 1554). The following entries, all from lists already cited in full, are unusually free from ambiguity:

- |      |   |         |
|------|---|---------|
| 1538 | Item the sext place At the Common hall where my Lorde Mayer & his bredren ar accustomyd to be wherefore that place goith free | nihil   |
| 1542 | Item the ixth place at the common halle for my lorde Mayer & his bredren whiche place is free yarefore &c                     | (blank) |
| 1554 | The ixth place at the Common Hall to my lorde Maiour and his bredren  | nihil   |

My Lady Mayoress, too, was accorded the dignity of a special rent-free station. In the list of *loca* for the 1521 play there occurs, for the first time in the extant Chamberlains' records, such an item as follows: "sextus locus dimittitur domine maiorisse et sororibus suis (sum blank)"<sup>2</sup> which item is typical of the corresponding entries for 1522, (12th place), 1523 (7th place), 1527 (11th place), 1528 (7th place). The more informative entries regarding the play stations of the Lady Mayoress and her sisters, the "alderman wyffis", have already been given in the lists cited in full for the years 1538, 1542, 1554.

These two factors in the loss of revenue from the Corpus Christi play stations in the sixteenth century emerge clearly: first, the comparative lack of competition for private ownership of scaffolds; second, the growth of a system of official perquisites in the form of exclusive, or semi-exclusive, rent-free places. The unravelling of cause and effect will, as always, depend on the individual bias of the commentator.

<sup>1</sup> Chamberlains' Books, IV, f. 88.

<sup>2</sup> Chamberlains' Books, II, f. 58.



## APPENDIX I

List of accounts from manuscript Chamberlains' Rolls and Books in the York municipal archives in which material was found.

## A. ROLLS

<i>Play year</i>	<i>Date of account</i> <sup>1</sup>	<i>Number of Case</i>
1454	1454-55	3
1463	1463-64	3
1468	1468-69 <sup>2</sup>	3
1486	1486-87 <sup>3</sup>	4
1501	1501-02	5
1505	1505-06 <sup>4</sup>	5
1508	1508-09	5
1509 (?)	1509-10 (?) <sup>5</sup>	4
1515 (?)	1515-16 (?) <sup>6</sup>	1
1517 (?)	1517-18 (?) <sup>7</sup>	6
1528	1528-29 <sup>8</sup>	6
1561	1561-62	7

## B. BOOKS

<i>Play year</i>	<i>Date of account</i> <sup>9</sup>	<i>Volume</i>
1520	*1520-21	II, f. 21
1521	1521-22	„ f. 58
1522	1522-23	„ f. 98
1523	*1523-24	„ f. 143b
1524	*1524-25	„ f. 187b
1525	*1525-26	„ f. 228b
1526	*1526-27	III, p. 37
1527	*1527-28 <sup>10</sup>	„ p. 133

<sup>1</sup> The first four accounts in this list run from the feast of St. Blaise (Feb. 3) for a year; the remainder from the feast of St. Maury the Abbot (Jan. 15) for a year.

<sup>2</sup> Labelled and catalogued as 1466, but the account runs from the feast of St. Blaise, 7 Edward IV, for a year.

<sup>3</sup> Labelled and catalogued as 1485, but the account runs from the feast of St. Blaise, 1 Henry VII for a year.

<sup>4</sup> Labelled and catalogued as 1505-06, but the account, if I read the faded date correctly, runs for one year only, from the feast of St. Maury the Abbot, 20 Henry VII.

<sup>5</sup> Original date missing. Labelled and catalogued as 1496-1509. Davies, *op. cit.* p. 241n, who prints the list of *loca*, cites it as from "a compotus of the reign of Henry VIII".

<sup>6</sup> Original date missing. Catalogued as " ? Henry IV's time", but the label on the Roll has been altered decisively from "Henry IV" to "7 Henry VIII".

<sup>7</sup> Very faded Roll. Labelled and catalogued as 1517.

<sup>8</sup> See also under B. BOOKS 1528-29 and n<sup>1</sup>.

<sup>9</sup> Accounts run from the feast of St. Maury Abbot for a year. Certain accounts in this series marked \* lack the original date at the beginning. The first account immediately precedes two dated accounts. The 1528-29 account is dated through a duplicate list of *loca* in a Roll which runs from the feast of St. Maury Abbot, 19 Henry VIII, for a year; and the five other undated accounts, those from 1523-24 to 1527-28, inclusive, would seem to fall into place in the sequence.

<sup>10</sup> Dated 1526-27 in modern hand.

1528	1528-29 <sup>1</sup>	„ p. 232
1538	1538-39	„ f. 9 (new foliation)
1542	1542-43	IV, f. 37
1554	1554-55	„ p. 59 (new pagination)

## APPENDIX II

<i>Play year</i> <sup>2</sup>	<i>Number of stations</i>	<i>Total rents</i> <sup>3</sup>
1454 R	9 (or 10) <sup>4</sup>	£6 2s. 4d.
1463 R	10	£4 2s. 6d.
1468 R	12	£5 11s. 5d. <sup>5</sup>
1486 R	12	£4 13s. <sup>6</sup> 4d.
1501 R	11	£2 10s. 8d. <sup>7</sup>
1505 R	13	£1 0s. 0d.
1508 R	13	£2 6s. 8d.
1509? R	12	£2 4s. 0d.
1515? R	13	? ? ? <sup>8</sup>
1517? R	?	£1 16s. 3d.
1520 B	13	£1 10s. 2d.
1521 B	14	£1 11s. 8d.
1522 B	14	£1 5s. 6d.
1523 B	12	19s. 6d.
1524 B	13	£1 3s. 4d. <sup>9</sup>
1525 B	15	£1 2s. 4d. <sup>10</sup>
1526 B	11	£1 7s. <sup>11</sup> 3d.
1527 B	13	£1 8s. 4d.
1528 R & B	13	£1 3s. 10d.
1538 B	11	16s. 8d.
1542 B	16	£1 4s. 10d.
1551	10	— — — <sup>12</sup>
1554 B	16	£1 14s. 8d.
1561 R	—	£1 14s. 0d.
1569	14	— — — <sup>13</sup>

<sup>1</sup> Dated 1527-28 in modern hand. See above, n<sup>1</sup>, however, for evidence in support of my dating.

<sup>2</sup> The letters R and B after the play years stand for Chamberlain's Roll or Book (see Appendix I).

<sup>3</sup> The sums in this column are, occasionally, only approximate. The official *summa* does not always tally with the sum of the individual rents; there are frequent erasures and corrections; and the fading of certain accounts makes necessary, in rare instances, a minimum of cautious guesswork.

<sup>4</sup> See Appendix III, n. 1.

<sup>5</sup> Possibly 10d.

<sup>6</sup> Possibly 14s.

<sup>7</sup> Discrepancy in totals.

<sup>8</sup> *Summa* faded. Possibly £3. 3s. 2d., though that seems high for this period if the date is correct (see Appendix I, A. ROLLS, n. 5).

<sup>9</sup> Derived from addition of individual rents.

<sup>10</sup> Derived from addition of individual rents. Possibly £1. 3s. 4d.

<sup>11</sup> Possibly 12s.

<sup>12</sup> Raine, *op. cit.* V, p. 56.

<sup>13</sup> Raine, *op. cit.*, VI, p. 149. See also Appendix III, n. 4.



# APPENDIX III. CORPUS CHRISTI PLAY STATIONS.

NOTE:—All lists in this table, except those for 1569 and 1572, are derived from the Rolls and Books (see Appendix I). Only those Stations specifically located in the records are given in this table. Others, however, may, with caution, be derived from the names of those who pay rent, if the location of their houses is known and is on the route at the stage indicated.

	1398-99 & 1417	1454	1463	1468	1486 & 1527	1528 <sup>3</sup>	1538	1542	1551 <sup>4</sup>	1554	1569 <sup>5</sup>	1472 Pater Noster Play
1	HOLY TRINITY GATES MICKLEGATE	CHURCH of ST. JOHN <sup>1</sup>	HOLY TRINITY GATES MICKLEGATE	HOLY TRINITY GATES (MICKLEGATE)	see n. 2	(TRINITY GATES MICKLEGATE)	TRINITY GATES (MICKLEGATE)	TRINITY GATES (MICKLEGATE)	Heryson's door MICKLEGATE	TRINITY GATES (MICKLEGATE)	TRINITY GATES (MICKLEGATE)	TRINITY GATES (MICKLEGATE)
2	House of Robert Harpham	?	(unnamed)	(unnamed)		(unnamed)	MICKLEGATE	(unnamed)	The Three Kings (MICKLEGATE)	Harryson's and Farewedder's (MICKLEGATE)	House of Mr. Harison (MICKLEGATE)	House of Mr. Harison (MICKLEGATE)
3	House of John Gysehurn	?	(unnamed)	MICKLEGATE		(unnamed)	(west) end of OUSEBRIDGE	(unnamed)	Door of Lord Mayor	Three Kings MICKLEGATE	ST. JOHN KIRK STILE	House of John White
4	End of SKELDERGATE and end of NORTH STREET	?	Opposite CHURCH of ST. JOHN BAPTIST	End of NORTH STREET		(unnamed)	(east) end of OUSEBRIDGE	(west) end of OUSEBRIDGE	Door of Martin Metcalf (CONEY STREET)	George White's facing CHURCH of ST. JOHN	Door of Mr. Pacock	Door of George Aslaby East end of OUSEBRIDGE
5	Castlegate end of CONEY STREET	?	CONEY STREET	End of CONEY STREET		(unnamed)	End of SPURRIERGATE	(east) end of OUSEBRIDGE	Gates of COMMON HALL	Staith Head end of OUSEBRIDGE	Corner of OUSEGATE	Between houses of Thomas Parker & Robert Brooke
6	End of JUBRETGATE	STONEGATE	CONEY STREET	(unnamed)		(unnamed)	COMMON HALL	End of OUSEGATE	(House of) Mr. Hartley STONEGATE	Castlegate end of CONEY STREET	(House of) Mr. Appleyard (CONEY STREET)	House of Henry Pulleyn
7	House of (late) Henry Wyman CONEY STREET	STONEGATE	(unnamed)	Middle of CONEY STREET		(unnamed)	STONEGATE	(unnamed)	MINSTER GATES	(House of) Ald. Appleyard (CONEY STREET)	Gates of COMMON HALL	Gates of COMMON HALL
8	Near Common Hall, end of CONEY STREET	Mercery, (head of) GOODDRAMGATE	STONEGATE	End of STONEGATE		(COMMON HALL)	MINSTER GATES	(unnamed)	Door of Mr. Gates (PETERGATE)	(House of) Martin Metcalf CONEY STREET	House of Christopher Willingshows (?)	House of William Gilmyn
9	House of (late) Ade del Bryeg	PAVEMENT	Mercery, (head of) GOODDRAMGATE	Middle of STONEGATE		STANEGATE	House of Lady Wild PETERGATE	COMMON HALL	Head of GOODDRAMGATE	COMMON HALL	MINSTER GATES	MINSTER GATES
10	MINSTER GATES		PAVEMENT	MINSTER GATES		MINSTER GATES	Head of GOODDRAMGATE	(unnamed)	PAVEMENT	(House of) Robert Bylbow STONEGATE	House of Mr. Birnand	House of Mr. Birnand
11	End of Girdlergate PETERGATE		Mercery, (head of) GOODDRAMGATE			House of Ald. Robert Wyld (PETERGATE)	PAVEMENT	(unnamed)		MINSTER GATES	(House of) (Mr.) Hutton	Corner of GOODDRAMGATE
12	PAVEMENT			(PAVEMENT)		GOODDRAMGATE		MINSTER GATES		(House of) Ald. Gayll	The Lord Mayor's place	Corner of John Wightman's
13						PAVEMENT		PETERGATE		Head of GOODDRAMGATE	Between Mr. Harbert's & Shiref's houses PAVEMENT	Door of Mr. Harbert (PAVEMENT) <sup>7</sup>
14								End of GOODDRAMGATE		(House of) William Marston COLLIERGATE	Between Mr. Pacock's & Mr. Allen's places <sup>6</sup>	
15								COLLIERGATE		(House of) Mr. Belwyth HOSIER LANE		
16								House of James Jackson PAVEMENT		PAVEMENT		

<sup>1</sup> It may be, however, that this was the second station and that there were 10, not 9 stations, beginning with Trinity Gates. See discussion of the 1454 list of *loca* in the text of this article.

<sup>2</sup> For 1486, the only stations named are the 1st at "Mickelith" and the 12th at the Pavement; for 1527, the 13th at the Pavement.

<sup>3</sup> This list is a compilation from two sources. Certain details from the somewhat confused account in the Chamberlain's Book have been used to eke out the less informative items from the more orderly Chamberlain's Roll. (See Appendix I)

<sup>4</sup> Raine, *op. cit.*, V, p. 56.

<sup>5</sup> Raine, *op. cit.*, VI, p. 149, with the exception of the 8th *locus* which he omits and which has been supplied from a Minute in House Books XXIV, f. 140.

<sup>6</sup> This entry is perhaps misplaced by the original scribe. A Minute on the following day (House Books XXIV, f. 140h) gives a Council order that Tho. Cowper in Micklegate, Mr. Fawkes in Coney Street and John Chambers in Collier-gate shall have the pageant played before their doors if they will agree with the Chamberlain for the same.

<sup>7</sup> House Books XXV, f. 15.



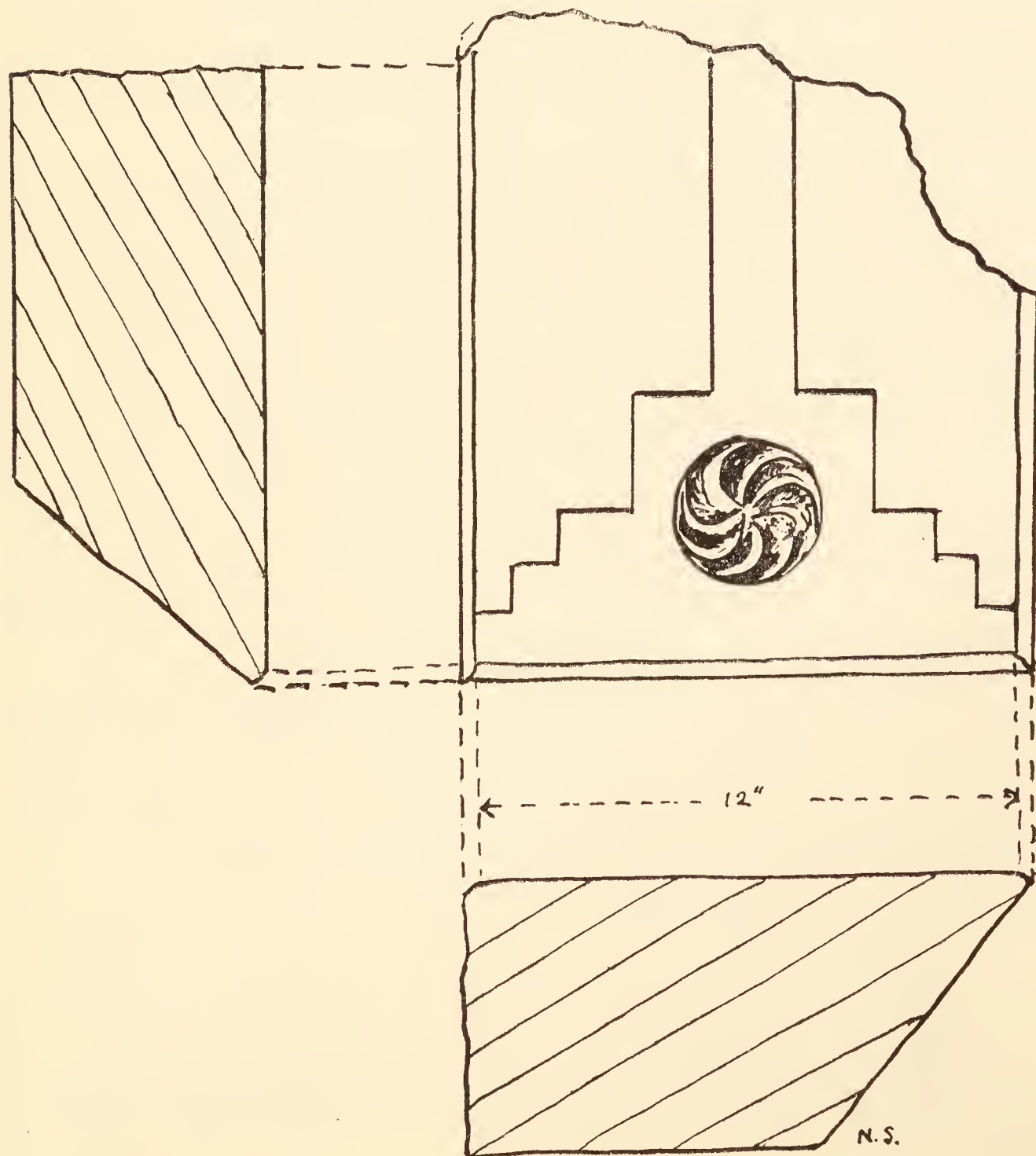


## AN INCISED STONE FROM THE FREE CHAPEL OF ANCRES, Near DONCASTER

By NORMAN SMEDLEY, M.A.

Through the interest of Mr. R. S. Rhodes, of Sprotborough, the Doncaster Museum received in January, 1948, two fragments of incised stone from a site at the junction of Sprotborough Road and York Road, near the northern boundary of the borough.

One of these is of particular interest, as it bears the calvary or steps and part of the upright member of a cross. Unfortunately the upper portion is missing, but it was no doubt a floriated cross of the type generally used to mark a grave within a sacred building of the Middle Ages.



So much of the stone is missing that the symbols usually found in the "field" of the design, indicating the calling of the deceased, are absent. The calvary is decorated with a roundel. Cutts<sup>1</sup> figures and describes a cross from Brougham, Westmorland, bearing a roundel of this nature in the field, and compares it with the shields of footmen as seen in the Bayeux "tapestry", and a stone from the old Parish Church of St. George at Doncaster<sup>2</sup> bears a roundel on the base, which is cusped, not stepped. This is figured by the Rev. James Bell, who showed his figures to Cutts, and Jackson acknowledges the fact that Cutts supplied many of the observations on these monuments. He draws attention to the comparison with the Brougham cross. In the present case, at least, it is doubtful whether a shield is represented.

The stone itself has certain distinctive features. The right-hand margin and the foot are bevelled beneath; there is no bevel on the other margin, as in most stones designed to fit into the opening of a tomb.

Another fragment of stone bears incised markings, but it is too small to enable accurate determination of its function. This also is bevelled beneath. Adhering to the incised surface is a patch of mortar, evidence that it had later been used in building operations.

A portion of the base of a wall of limestone blocks was also exposed on the site, and there were indications that other walls still remained beneath the surface, but before anything could be done to excavate systematically, a load of rubble had been dumped on the site, in preparation for building extensions. The foreman did, however, promise to keep operations under observation when the trenches were refilled, in case the remainder of the incised cross slab should turn up, but nothing further was found.

The site in question lies behind the premises of Messrs. Kenning's Ltd., Motor Engineers, and is being used for the erection of extensions to their workshops. This, as has been indicated, is at the junction of the Sprotborough Road with York Road (Great North Road), and is approximately  $1\frac{1}{2}$  miles from Sprotborough Church. There seems some likelihood that this was the site of the "free chapel or chantry of Ancres juxta Doncaster",<sup>3</sup> although the generally accepted view places it some distance farther from the road and bridge. Hunter believed this chapel to be within the foundation of the hospital of St. Edmund, and this is established by Peacock,<sup>4</sup> who quotes Dodsworth as saying that it was distant from Sprotborough Church a mile and a half.

<sup>1</sup> *A Manual for the Study of the Sepulchral Slabs and Crosses of the Middle Ages*, p. 63 and Pl. VII.

<sup>2</sup> *History of St. George's Church, Doncaster*, by the Rev. J. E. Jackson, M.A. Appendix p. ii, and pl. IV, No. 3.

<sup>3</sup> Hunter, *The History and Topography of the Deanery of Doncaster*, I, p. 348, also quoted by Peacock. (See note 4).

<sup>4</sup> Peacock, *A Mutilated Roll of Instruments relating to the Hospital of St. Edmund, at Sprotborough, near Doncaster*, *Archaeologia*, XLII, pp. 398-404. (The transcription is quoted literally, and no effort has been made to correct errors).



The *Valor Ecclesiasticus*<sup>5</sup> gives an account of "Thospitall of Seynte Edmonde called Seynt Edmondes Chappell in the Parysshe of Sprotbrugh", wherein the annual income of the hospital is given as £9. 14. 11d. "Whereof Paiable yerely to the Kynges Majestie for a tenthe, xvijs. *ob.* ; to the lordes of Spotbrugh for fre rent, ij*d.* In all, xvijs ij*d.* *ob.* and so remaneth, viij*li* xvjs viij*d.* *ob.*"

Holgate's return gives the annual income of St. Edmund's Hospital as £9. 13. 11d., thus correcting the faulty arithmetic of the *Valor* record (£8. 16. 8½*d.* plus 17/2½*d.* makes £9. 13. 11d., not £9. 14. 11d., as stated).

The identity of the "Chapel of Ancres" with St. Edmund's Hospital, conjectured by Hunter, is fully confirmed by the references in the *Valor Ecclesiasticus* to the lands with which it was endowed, "Ancres House" and the "Ancresse Inges", and Peacock's later discovery of the "Mutilated Roll of Instruments" puts the matter beyond question.

Peacock states :—"The memory of these religious is clearly retained in the name Ancres-Ing given to their meadow in the *Valor Ecclesiasticus*". He is referring, of course, to the two anchoresses established in the hospital by the charters of Thomas Fitzwilliam and his son William. Local tradition has tended to treat the word Ancres as the name of the place whereon the chapel was built, but it obviously refers directly to the presence of the two anchoresses, Anabel and Helen de Lisle. The chapel was no doubt referred to, as Hunter indicates, as "the chapel of the Ancres".

Hunter believed that Margaret Tattersal, whose tomb is in the church at Sprotborough, was a member of the foundation, presumably on the evidence of the inscription :—"Orate pro anima Margaretæ Tatersal que . . . . . eresse de Doncaster". She died on the 20th February, 1458, and was evidently related to the Fitzwilliam family, for a Sir William Fitzwilliam had married Maud, daughter of Lord Cromwell of Tattershal, towards the end of the 14th century.

The site of the Chapel of Ancres is marked on the 6 ins. Ordnance Survey Map, CCLXXVI S.E., as that of the Anchorage Farm, but the only evidence in support of this is in the name "Anchorage". It is much more likely that this is the "Ancres House" referred to in the *Valor Ecclesiasticus* as forming a part of the endowment. This site would hardly be described as near the Doncaster Bridge. However, this point can only be settled by further investigation, and possibly excavation.

Miller evidently believed that the site of the hospital of St. Edmund was marked by the ruined chapel which stood, until the 18th century, at the point now occupied by the signal-box

<sup>5</sup> The Certificates of the Commissioners Appointed to Survey the Chantries, Guilds, Hospitals, etc., in the County of York. (*Surtees Soc.*, Vol. XCI), 1894, Part 1.

at the entrance to the Cadeby tunnel, and of which an engraving dated c. 1600 is still in existence.<sup>6</sup> This is, however, more likely to be the Hermitage of St. Margaret, also mentioned in the *Valor Ecclesiasticus*, of which Hunter says that its ruins, known as Armsey Chapel, were marked on a map of the course of the Don dated 1764, and stood nearly opposite Conisborough Castle, though in the parish of Sprotborough. He states that the ruin was demolished about "twenty years ago". (Hunter wrote this in 1828).

However, as the tradition that St. Edmund's Hospital was at Cadeby seems to have gained a degree of credence by no means negligible, as does that referring the Chapel of the Ancres to the site marked on the Ordnance Survey Map, it would appear pertinent to quote the "Mutilated Roll of Instruments" in some detail.

The foundation charter is missing, and Peacock doubts whether it ever existed, pointing out that such houses not infrequently came into existence through the efforts of "a few pious persons", continuing rather through the good will of the lord of the fee than by his direct act.

The first document on the Roll is a papal Bull, headed :— "Bulle Hospitalis Sancti Edmundi Regis et Martyris juxta pontem Doncastr<sup>9</sup>". Cadeby can hardly be said to be "close by the Doncaster Bridge", and the site on which now stands Anchorage Farm is some distance away. The Bull conveys the apostolic benediction, approves the appointment of a chaplain and grants rights of sepulture to the members of the community and their families.

It is followed by a Confirmation addressed to the "filiis magistro et fratribus domus infirmorum Sancti Edmundi juxta pontem Doncastr<sup>9</sup>", which grants exemptions from secular exactions by Kings, and preserves to all persons such concessions as they may have received.

The Bull is dated April 3rd, but the year is indecipherable. The confirmation is given at Rome on May 15th, in the ninth year of the Pontificate.

Next comes a charter, granted by Thomas Fitz William, which Peacock dates some time between 1260 and 1272.

He confirms his grant to Anabel and Helen (de Lisle), "sororibus inclusis",—eight quarters of grain for their sustenance annually for life, and provides for the continuance of this grant to their successors, and by his own, without let or hindrance,—two quarters each at Christmas, (Easter), Pentecost, and Michaelmas. The grant, failing them, will go to the priests in the house. Prayers are to be said for his soul, and for the souls of his ancestors and of his heirs.

This is followed by the charter of William, son of Thomas Fitzwilliam, confirming to Anabel and Helen "sorori sue filiabus

<sup>6</sup> Miller, *History of Antiquities of Doncaster*, p. 226.





PLATE I. INCISED STONE.





Jordani de Insula Ana (choritis juxta) pontem Doncastr<sup>9</sup>" . . . . . what they had aforetime. This Charter also expressly includes provision for the Master ("Custos") who is to say Mass and the canonical hours for the souls of the departed.

He is to have cows (details of this benefaction are indecipherable), as well as sharing in the provision made for the anchoresses and others; certain gifts were evidently for his own particular use, notably two quarters of grain.

In a fine which follows, and which Hunter<sup>7</sup> records as having been levied in the 8th year of Edward I ("from a more perfect copy in a MS. collection at Milton"), the community of the Chapel of St. Edmund "extra Doncastr<sup>9</sup>" are suing William Fitz William for arrears of 24 quarters of wheat—three years grant!

A transcription from the Yorkshire Assize Rolls, No. 1067, M. 13, Morrow of Trinity. 7 Edw. I, May 29, 1279, given by Sykes (MS., vol. XIX, p. 59), seems to refer to the same incident.

Then follows a document described by Peacock as "without heading, and so imperfect as to be quite unintelligible", and another "Scriptum Donacionis" which he describes as "more imperfect than the last . . . . . Date 1384". In it Elizabeth Fitz William of Sprotburgh conveys certain lands to Thomas of Sprotburgh. She is described by Peacock as the widow of Sir John Fitz William who, according to Hunter<sup>8</sup> had the license to amortise land to the use of the Master and Chaplains of the Hospital of St. Edmund of Sprotburgh, in 1364.

Next, a document of which the merest fragment remains. The name of Thos. Knapnauve, capellanus, is mentioned, and the date is 1409.

In a deed executed by Robert Waterton on January 12th, 1425, Robert Vincent is confirmed as chaplain of the free hospital of St. Edmund King and Martyr "juxta pontem Doncastr<sup>9</sup>". Robert Waterton took as his second wife the widow of John Fitz William. He himself died on January 17th of that year, and by February Margaret had secretly married William Gascoign.

A deed and confirmation dated January 19th bears the seal of Margaret, widow of both John Fitz William and of Robert Waterton. This also refers to the free hospital of St. Edmund King and Martyr "juxta pontem Doncastr<sup>9</sup>".

The remaining documents are for the most part in English, and relate to work done in the hospital. The first is headed "Hec subscripta noviter facta per Robertum Vincent in sua Cantaria juxta pontem Don. . . . .", and relates to repairs to the fabric, new altar cloths, vestments, images, etc. The next deals with similar items "In Corpore Ecclesie".

For the domestic premises Latin is evidently deemed unnecessary even for the titles—"In the Parlor", "In the Chaumber over the Parlor".

<sup>7</sup> Hunter, I, p. 336.

<sup>8</sup> Hunter, I, p. 338.

Work is carried out "Apud Neuton", on lands included in the endowment, and finally "in another hand", is a document which includes the following items :—

"ffor pauying, wallyng, by the dykes sides in the ank . . . .", surely the Anchoresses Ing.

The constant recurrence of the term "juxta pontem Doncastr<sup>9</sup>" seems definitely to establish the site of the hospital as near the junction of the present Sprotborough Road with the Great North Road, and to point rather to the garage site than to Anchorage Farm.

The Valor Ecclesiasticus also makes reference to "The Chaunterye of Seynte Kateryne in the Parysshe Church of Sprotbrugh",<sup>9</sup> which was "fyrste founded by John Fytz William in the sayd hospitall of Seynte Edmonde, and afterwards removed unto th'aulter of Seynt Edmonde aforsayd" (in the parish church).

The writer has seen a roll of documents relating to the Sprotborough Estate, in the keeping of the solicitors of Lord Cromwell, the present representative of the family, and by his kind permission. They are so numerous, and in such poor condition, that it would take a considerable time to examine them in detail, but if, as is hoped, this can be done in the future, it is probable that those relating to the Chapel will be found among them.

Further light on the Hospital of St. Edmund is thrown by an examination of the works of John Sykes, M.D., who practised in Doncaster in the late 19th century, and was a noted local antiquary. He made copious transcripts of old documents relating to the town and district, and upwards of a hundred volumes of his MS. works are in the keeping of the Doncaster Public Library. I am indebted to the Librarian, Mr. G. A. Selby, for permission to examine these documents, and to Mr. J. H. Coster, his assistant, who was most helpful in tracing the volumes relating to Sprotborough.

Much of the material consists of a transcription, perhaps a little less exact than that made by Peacock, of the documents already enumerated,—the "Mutilated Roll", which Sykes heads, "From a Roll much decayed. *Ankeridge*." Sykes, however, appears to have had access to documents not seen by Peacock, and these carry the story further.

By a deed executed by William FitzWilliam, 8 Henry IV,<sup>10</sup> he grants to his kinsman, John Fitzwilliam of Sprotborough, senior (William's son and heir was also John) the general hospitality of all his manors, lands and tenements in the County of York and elsewhere in the kingdom of England, and he appoints him chaplain of the free hospital of St. Edmund king and Martyr by the Doncaster Bridge should the present chaplain, William Kirkby vacate his office by death or resignation.

<sup>9</sup> *Surtees Soc.*, Vol. XCI, 1894, Part I, p. 156.

<sup>10</sup> Sykes MSS. in Doncaster Public Library, Vol. XX, p. 9.



John FitzWilliam,<sup>11</sup> son of the William referred to above, for certain causes and just considerations "concensu et assensu", appoints Dominus William Sprotburgh as master of the said hospital, and Dominus Hugh Hankenson as his associate, and proceeds to a division both of perquisites and duties between them.

To William Sprotburgh and his successors as chaplains for the time of their incumbency he allots the house and land adjacent to the hospital, "Ankereng" (Ancres Ing), the croft called Rycroft, and three acres of land and fields within the boundaries of Bentley.

Item, one messuage, two cottages, and two bovates of land and meadows in the territory of Newton. two pastures in the common meadow of Sprotburgh.

Item, one bovaté of land in the territory of Scauceby.

Hugh Hankenson, and his successors as chaplains for the time of their incumbency shall have two portions of the tithe of all grain from land facing the Manor of Sprotburgh called Hall Flatt.

Item, Blythe field old Newton between the crosses.

Item, the lands between Netherstrythorn and Venerode, and of three acres from the west part of Hytherstrythorn.

Item of six acres in Stony Thwong and of four acres in Foillstede.

Item, two messuages, and two cottages and two bovates of land and meadows with appurtenances.

Item, one plot of land and woods called Le Londe, and half an acre of woods near Ticroffte.

Item, one messuage, and one bovaté of land, and three roods of meadows in the croft, with other appurtenances in Cusworth.

Item, six cart-loads of coal annually from the mine of Cortworth and between the aforesaid William Sprotburgh and Hugh Hankenson and their successors as chaplains to have, and according as shall be decided to divide, as long as the aforesaid mine shall last. He then proceeds to exhort William Sprotburgh concerning the performance of his priestly duties, and such provision for the anchoresses and other inmates as may reverently and honourably be fitting; and they are to celebrate masses and the canonical hours for the salvation of his soul, and those of his ancestors and heirs and for all the faithful departed in the chapel of the said Hospital, to the glory of God, etc.

Hugh Hankenson and his successors are also to perform their priestly duties, celebrating masses and other services to the same end at the Altar of St. Katherine in the parish church of Sprotburgh as well as in other rightful places annually on all feast days and at the feast of the Nativity of St. John the Baptist, as the priests may determine to be fitting, "except that they shall celebrate annually two masses in the chapel of the said Hospital,

<sup>11</sup> Sykes MSS. in Doncaster Public Library, Vol. XXXIV, pp. 81-86.

namely one mass at the feast of St. Edmund King and Martyr, and another mass in commemoration of the souls on a holy day after the Epiphany which I shall please and direct : for the souls of the founders, benefactors, brothers and sisters, and of all the faithful departed”.

Hugh Hankenson or his successors “are to erect one house within his messuage of Sprotburgh, and to repair and maintain it at their own expense, giving and assigning it to one poor person always to dwell in the same. Rendering annually to the same poor person and to other poor persons successively in the said house one cart-load of firewood from his woods of Le Londe without murmur or contradiction. And I the aforesaid John charitably mindful of the salvation of the souls of my ancestors and my heirs give and concede for the sustenance of the said poor person and other poor persons successively in the said house one dish of food on Sunday to be taken away whithersoever it is agreeable from my kitchen by my orders and the order of my heirs or our assigns, without difficulty and impediment. Notwithstanding the instruction of the patron in the gift and disposition of the aforesaid charity ; which same shall after this continue to be void”.

It may be that some disagreement had arisen between a former Master and Chaplain as to the allocation of perquisites and the performance of duties, and that John Fitz William sought thus to end the dispute for all time. “And in order that my petition and ordinance may in future times and in perpetuity be maintained with the firmest strength, the present decree sealed with my seal confirms this charter”.

Sykes gives no more account of the hospital until the reign of Henry VIII, when an indenture in English made June 2nd, 28 Henry VIII<sup>12</sup> “betwyx *f* Wyllm Copley<sup>13</sup> of Sprotburgh Knyght of the oone pte and *f* Peter Sylles preiste of the other partie”.

In this document “the sayd *f* Peter haith demysed and to farme lettyn to the sayd *f* Willm his porcyon of all the tithe corne ptenying and belonging to his channtre”.

The land concerned is Hall Flatt in Old Newton within the stump crosses, land between Henrode (sic) and Netherstrythorne, and three acres on the west side of Hytherstrythorne, and also the Blythe Field, all mentioned in earlier deeds. The term is three years, and the annual rental £3 sterling, half payable at Michaelmas and half at the feast of the Purification.

Ten years later, by another deed<sup>14</sup> in which he is careful to state that he is “tenens p legem Anglie Man<sup>9</sup> ii et dominii de Sprodburgh verus et indubitatus patronus pro hac vice Hospitalis

<sup>12</sup> Sykes MSS. in Doncaster Public Library, Vol. XX, p. 11.

<sup>13</sup> On the death of a William Fitz-William in 1516, the estates were divided between his two aunts, Sprotborough falling to Dorothy, wife of Sir William Copley.

<sup>14</sup> Sykes MSS., Vol. XX, pp. 11-12. Anthony Frobisher became Vicar of Sprotborough in 1552. (Fasti Parochiales, Vol. II, p. 73).



sive Cant<sup>o</sup> ie Scē Edmūde Regis et martiris iuxta ponſe Doncastr<sup>o</sup>, William Copley presents Antony ffrobiser, Clerk, Master of Arts, to "the aforesaid Hospital or Chantry of St. Edmund King and Martyr, now vacant by the death of Anthony Burdett, the late Chaplain". Lands adjacent, and "the meadow called Ancre ynge and the croft called Ricroft, three acres of land within the boundaries of Bentley, one messuage, two cottages and two bovates of land and meadows in the territory of Newton-upon-Don, two pastures in the common meadow of Sprotburgh, and one bovat of land in the territory of Scawsby", are all mentioned once more. He is to celebrate masses and other divine services "for my good state and that of Margaret my wife, my parents and my friends and for the souls of William Fitz William, Knight, John Fitz William Esq., William Fitz William Esq., Dorothy my late wife and all their ancestors, the founders of the aforesaid Hospital or Chantry. Dated 20th, June Hy. VIII, 38.

Sykes mentions another grant<sup>15</sup> in nearly the same words, and of the same date. He gives a drawing of the seal attached to the former document, crudely representing the "lozengée" motif of the Fitzwilliams, and describes that on the latter as having a talbot's head erased.

Next follows a transcript<sup>16</sup> of an indenture made on the 30th June, 35 Henry VIII. This document is in English and is between "Robert Strey, clerke, channntreprest of the ancrisse", within the parish of "Sprodbroghe", and John Reyne of Newton, and concerns land in Newton and Scawsby "now in the tenur<sup>o</sup> and occupacion of on Willm Stocks", two cottages in the holding of Robert Stocks and Richard Horsefall, and land held by James Stocks. The lease is for three years in the first instance and so forth by terms of three years for 21 years. The annual rent is £4. 11. 9d. "of goode sterlyng money", payable half-yearly.

Robert Strey covenants and grants to and with the aforesaid John Reyne to uphold and repair the aforesaid messuage with the appurtenances, with "all man<sup>o</sup> of Repaciones as tymber stone-walle latt and neyle and other necessarys of hys owne pp<sup>o</sup> coste and charge thacke and mort<sup>o</sup> eyn<sup>o</sup>". John Reyne is allowed to "take sufficiently of Snaythinge of oke and hasch and other useall beyng woodde beyng or grouyng on the same grounds for mayntenanc of the ferme-holde afforsayd".

The name of Robert Strey appears in the list of the clergy of St. George's Church, Doncaster, in Jackson's History of that church. He founded a chantry in the S.E. Chapel. The present indenture would make it appear that Robert Strey was chantry-priest of St. Edmund's at some time after Peter Sylles and before Anthony Burdett. He probably went from there to St. George's Church round about 1545.

Other documents<sup>17</sup> make reference to lands belonging to

<sup>15</sup> Sykes MSS., Vol. XX, p. 13.

<sup>16</sup> *ibid.*, pp. 13-15.

<sup>17</sup> *ibid.*, pp. 18-19.

the Hospital, not directly, but in defining the situation of other property—"inter terram Hospitalis Sancti Edmundi ex parte una et terram Burgensis de Cusseworth ex parte altera" . . . . etc.

To return to the earlier days of the Hospital, an interesting little incident is disclosed by two letters of Archbishop Greenfield.<sup>18</sup> The first is dated Cawood, June 9th, 1310, and is to the Bishop of St. Andrews, to inform him that he has received news, from a trustworthy source, that Beatrix de Hodesak,<sup>19</sup> formerly in the sacred monastery of Coldstream, regularly professed, and for many years in the same convent, had deserted the monastery when war was imminent in Scotland, without leave from the Bishop or the Superior of her order, and was now dwelling in the place of anchorites at Doncaster. "Cum itaque boni pastoris sit errantem ovem, quae a grege suo recedendo perierat, piaie compassionis studio requirere, et ad ovile suum, a quo propria temeritate recesserat, in caritatis visceribus revocare . . . . ." In this benevolent spirit, the Archbishop writes to request that the Bishop will enquire into the matter, and he will act in accordance with his wishes, as justice may require.

Five years later, Archbishop Greenfield writes "to our beloved son Thomas de Cresaker". It appears that he is satisfied that Beatrix not only had the leave of the Bishop and of the Prioress, and just and reasonable cause for leaving, but that his predecessor, Thomas, Archbishop of York, had admitted her as an anchorite "in domo juxta pontem villae Doncastre", wherein she had since remained by his own permission. He also had news that the Prioress and Nuns of Coldstream, their goods appropriated and their property ravaged by the Scots, were all dispersed, so that Beatrix was, in any case, unable to return. He then reminds Thomas de Cresacre that he holds certain lands and tenements specifically for the purpose, ordained by his ancestor the Lord William Fitz William, Knight, founder of the house of the two Anchorites near the aforesaid town of Doncaster, to make provision for the two anchoresses, ten quarters of wheat annually. "Being unwilling that such exceptional and such pious alms so healthfully ordained for the sustenance of two poor women should cease in our time, we instruct you, uninterruptedly and without delay (to provide), in so far as the aforesaid Lady Beatrix (is concerned), whilst the same shall remain, five quarters of grain for her portion, and for the other anchoress, five, in order that the said ordinance and foundation, and approved usage shall be maintained effectively each year, under severe canonical penalty, so that if you do not effectively carry out this order, against you, as against the strong who are contemptuous of ecclesiastical discipline, we shall be mindful to exercise the former justice".

<sup>18</sup> Historical Papers and Letters from Northern Registers, Ed. James Raine the younger. (Rolls Series 61), pp. 196-198.

<sup>19</sup> Hodsock, near Blyth, Notts., where there existed at that time a Priory of monks of the Benedictine Order.



It is difficult to understand the position of Thomas de Cresacre in this connection. The lord of Sprotborough at this time was still a FitzWilliam, and although this family was akin to that of Cresacre at Barnbrough, the head of that house was John Cresacre. Thomas his son did not succeed him for several years. Nor would Thomas, as heir to the Barnbrough estate, be in holy orders, otherwise it might be thought that he was at that time Master of the Hospital. What does appear is that once again strong action was necessary to ensure the fulfilment of the obligations of the charter.

In 1348, Isabel, wife of William FitzWilliam, Knight, bequeathed to the Lady Joan, anchoress, a robe of her Order.<sup>20</sup>

The name of yet another anchoress is known from the registers of Archbishop Rotherham. Elizabeth Elltoft was secluded therein towards the end of the 15th century.

Throughout its history, Doncaster and the surrounding district has suffered its historic buildings to be utterly destroyed on the plea of expediency. It is fortunate that, in the case of St. Edmund's Hospital, and of other foundations, documentary evidence is not lacking to preserve for posterity a picture of the life of earlier times.

In conclusion, I must express my indebtedness to Professor Whiting, for ready help in the interpretation of difficult passages, and to Messrs. E. Day, L. Smith, and W. Hardy Steele, who have generously placed at my disposal such references to the Hospital as they have discovered in the course of their studies of the history of Doncaster.

<sup>20</sup> Test Ebor., vol I, p. 51.

## ROMAN YORKSHIRE.

Edited by DOROTHY GREENE, F.S.A.

### REPORT ON A ROMAN VILLA AT BRANTINGHAM, E. Yorks.

By P. E. SLACK.

#### *Situation*

The villa was at a point just below the crest of a small rise in the land, 100 yds. west of a lamp post on the west side of Boothferry Road and 237 ft. north of the junction of that road with a road known locally as "Brantingham Outgangs". (53.44N. 00.30W). The site covered an area of some 400 sq. ft., being approximately 25 ft.  $\times$  16 ft.

Permanent water is present a short distance to the south-east, the pond being fed by a spring.

The situation commands a good view of the country, including the river Humber, to the west and south-west, but to the other points of the compass the view is blocked by rising land, especially is this so to the east where, after a short level stretch, it rises rapidly to 250 ft. above O.D. The position is very exposed to the weather, a most troublesome factor during recent excavations.

#### *Modern history*

The whole edifice consisted of the lower parts of the walls and tessellated pavements of a Roman villa.

The pavements were originally discovered in September 1941, during the removal of the topsoil for quarrying operations and as the discovery was made with a mechanical grab, some damage was done to the walls and pavement of Room II, but good representative sections remained. When found, the pavements were cleaned and photographed, then re-covered. By the kind permission of Mr. Arnold Reckitt, the owner of the land, and Mr. Watts, the leaseholder, the site was left as an island (Fig. I) and quarrying operations continued in the rest of the area.

Aerial photographs of the area showed no sign of the villa, but gave indications of another building, since verified in an adjacent field.

No further action was possible owing to the war. But in 1948 Mr. J. Taylor, of Elloughton, arranged with Mr. Arnold Reckitt for the pavements to be presented to the Hull Museums.



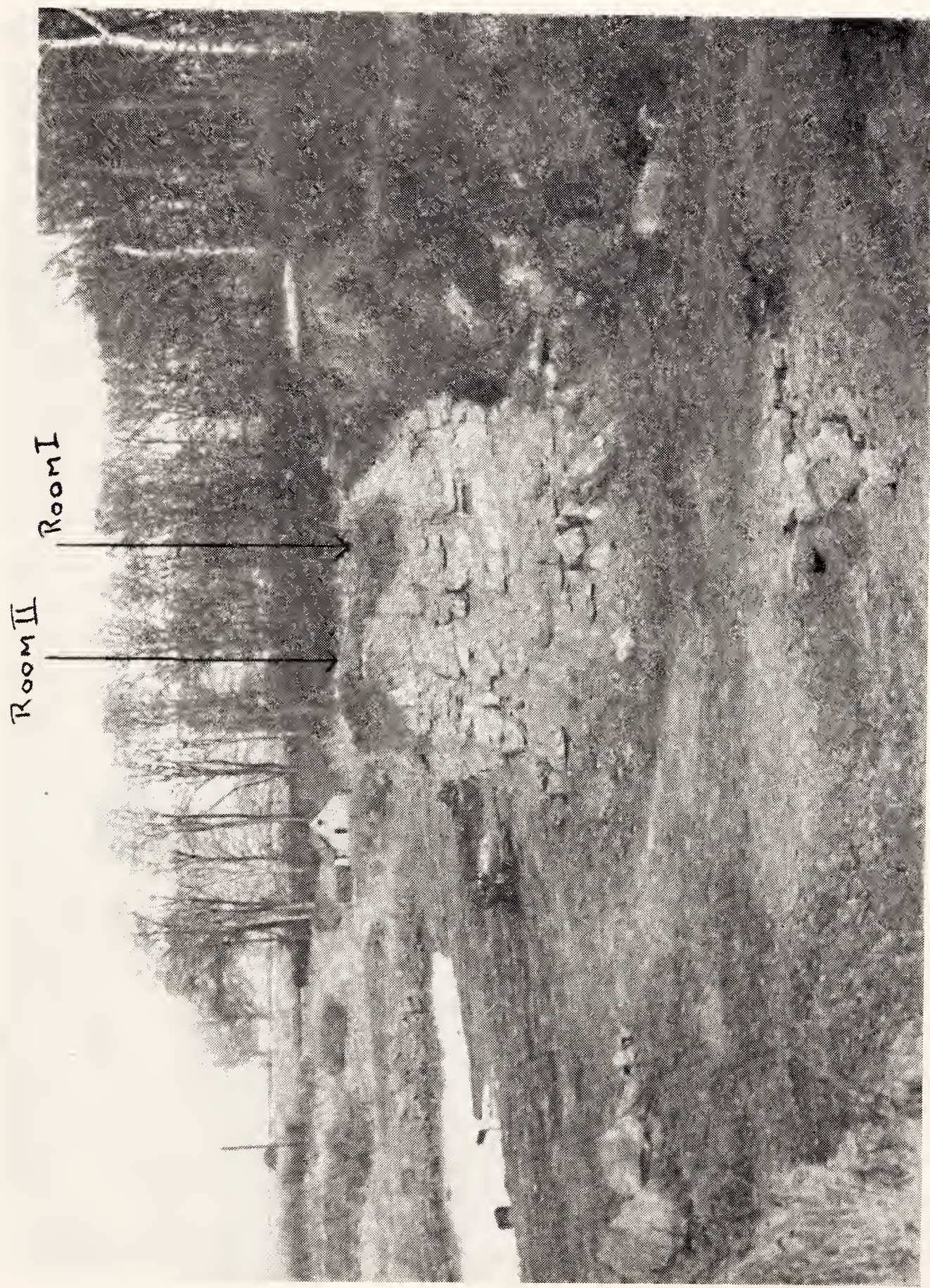


FIG. I. Quarry with island in the foreground. Permanent water behind island on right.











FIG. II. General view of Floor 1 from the northern side.





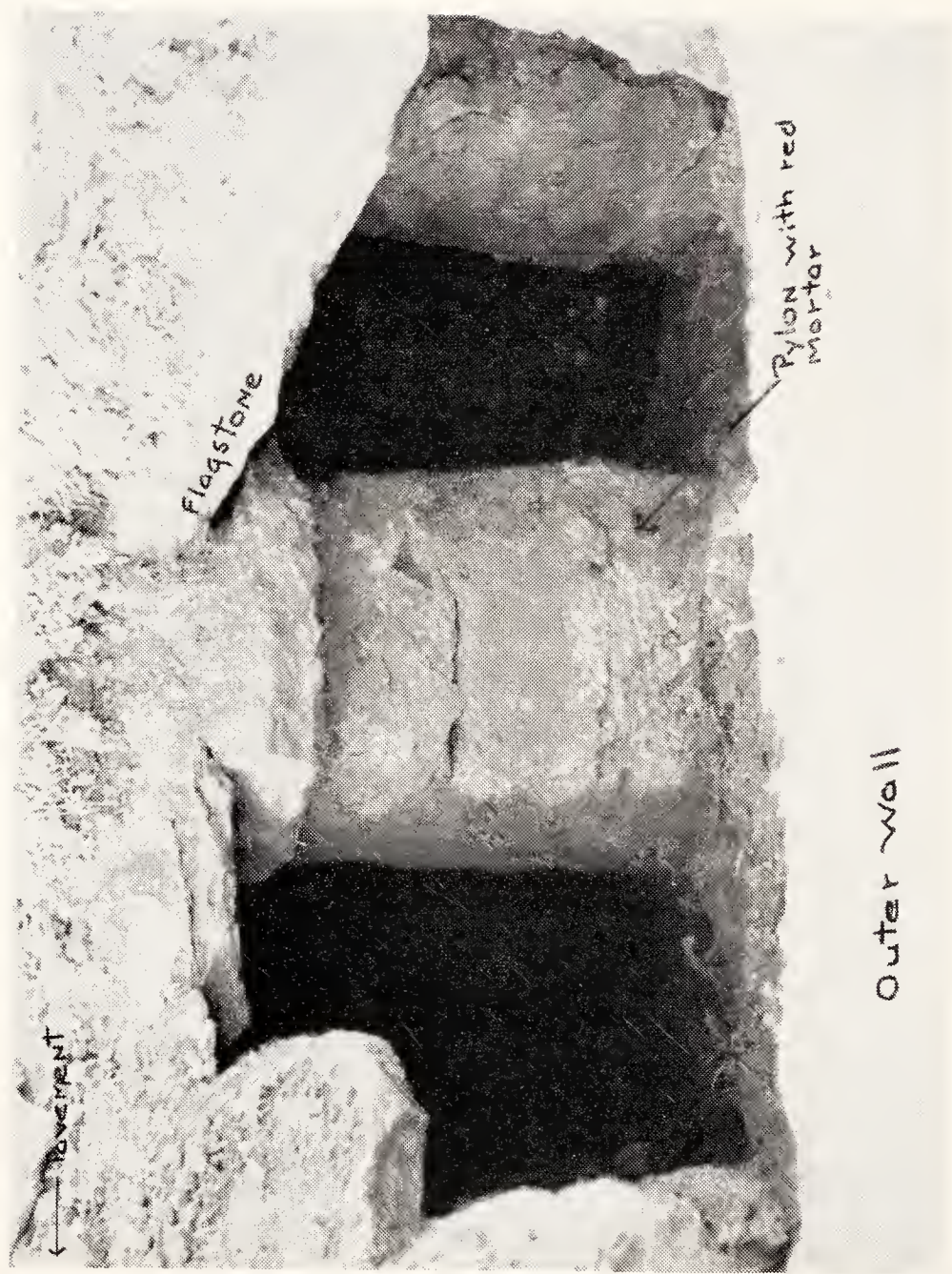


FIG. III. Foundations of Room I from the southern side.



Mr. J. B. Fay, the Director, then took charge and arranged with Messrs. Toffolo, a Hull firm of mosaic experts, to remove the pavements to Hull. Before the removal it was considered advisable to compile a set of photographs and drawings. The excavation and the recording undertaken being by the writer, whilst the photography was left in the hands of Mr. Ian Sanderson of Scarborough.

Floor I (Fig. II) was uncovered first and photographed; and then followed tragedy, for before it could be removed some person, unknown, stole the whole of the pavement and badly damaged the foundations, though some salvage was possible, revealing details of construction. Later Floor II was successfully dealt with (Fig. IV). The site was doomed, since it was hindering work in the quarry, therefore it was considered advantageous to take what remained apart and record it.

### *Construction*

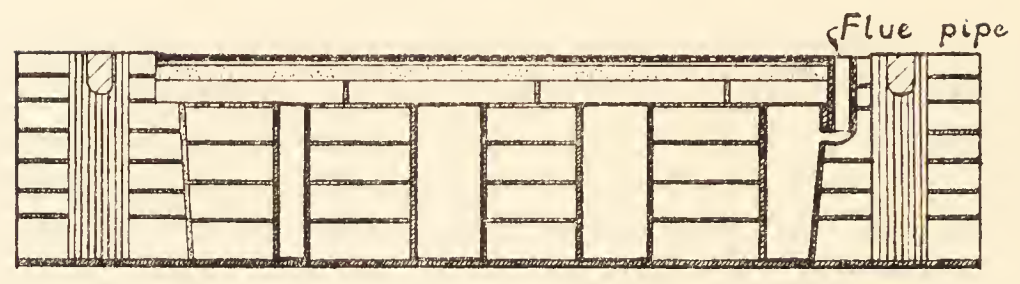
The foundations rested on some two to three feet of natural sandy soil and stones, which overlie a thick strata of limestone.

The greater part of the lower portions of Room 1 were in evidence, whilst the majority of those of Room 2 were missing due to erosion and crumbling of the island. All the walls seem to have been of the same general construction.

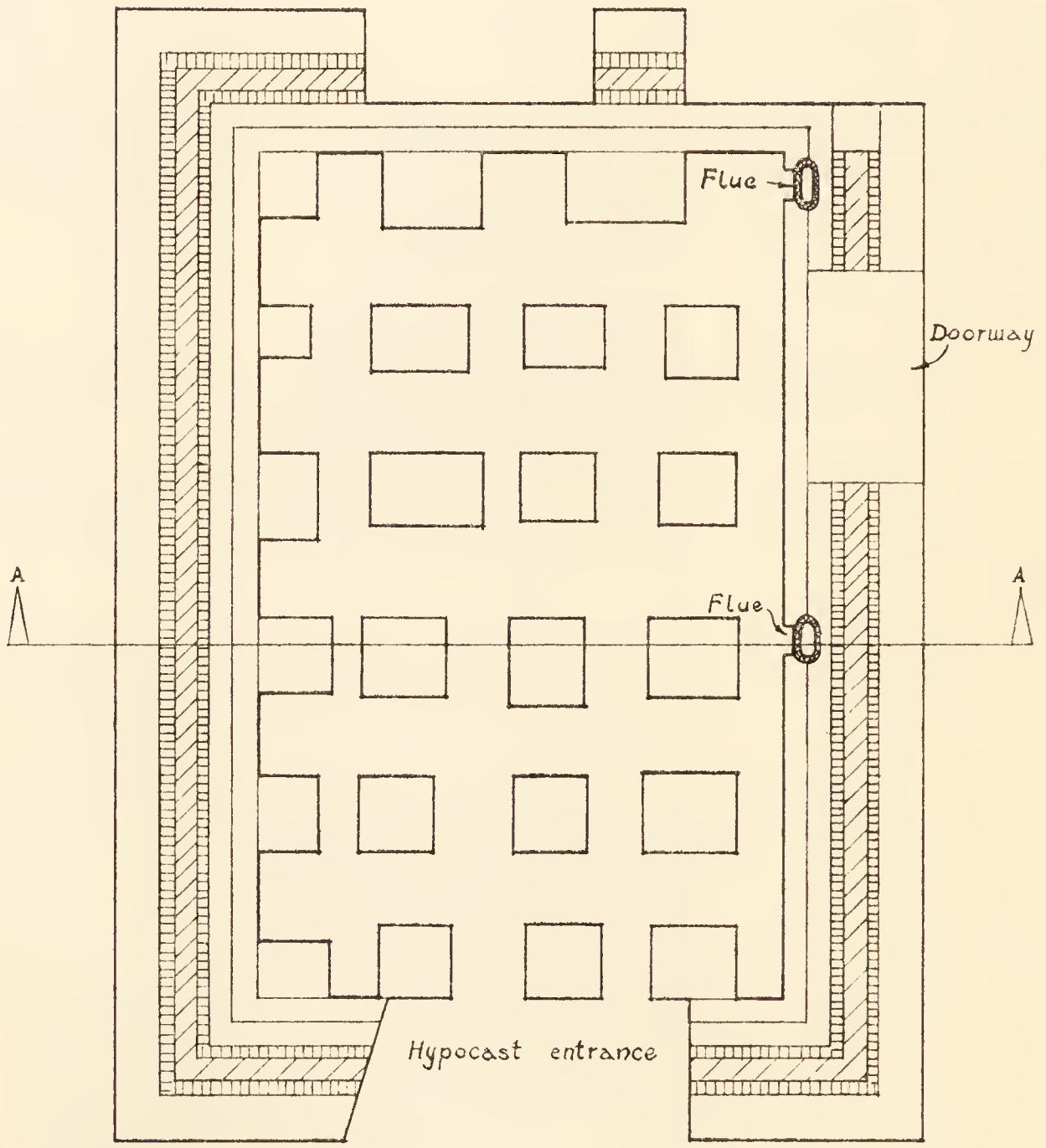
### *Room I*

The outer measurements of the room were 16 feet long and 11 feet wide. (Plan 1). The walls, two feet in thickness, consisted of two parallel lines of roughly shaped stones measuring, on the average, 16 ins.  $\times$  8 ins.  $\times$  6 ins., with the intervening space of about 8 ins. filled with mortar and small stones, the latter on the whole were laid fairly regularly, according to the "herring bone" pattern; the whole was laid on an inch of mortar. On the top of these lower stones ran four courses of slightly smaller stones, average measurement being 11 ins.  $\times$  8 ins.  $\times$  3 ins., once again the intervening space being filled with mortar and small stones. On the outer side of the wall and superior to the above-mentioned courses, ran two similar courses. On the inner side, however, the two uppermost courses were only half the width of their companions, so leaving a "shelf" of some 3 ins. in width and 6 ins. in depth running around the whole of the inner side of the wall.

Within the wall, and on a level with foundation mortar, was a layer of red mortar 1 in. thick, this reaching up to, but not under, the inner edge of the wall. On this layer of red mortar were laid twenty-three supporting pillars of carefully shaped stones. Each pillar was constructed of four stones (Fig. III). The pillars were of equal height but varied a little in width and breadth (from 9 ins.  $\times$  9 ins. to 18 ins.  $\times$  11½ ins.). Working from east to west, they were arranged in five rows of four and one of three, each row running from south to north. The two easternmost rows had their eastern faces exactly in the same



SECTION A - A



PLAN 1

# R O O M 1

Scale 1/2" to 1'-0"

## KEY

- |                  |               |           |
|------------------|---------------|-----------|
| Stone.           | Red Mortar.   | Mortar.   |
| Rubble & Mortar. | White Mortar. | Pavement. |

Drawn by G. H. Hutton.



straight line; the same applied to the western faces of the next three rows, but the westerly row of three had their western faces in line, being up against the western wall. The pillars were also in rows when viewed from the east or west ends of the room; those in the south row were butt-joined to the wall, but those in the north row of five, were some 8 ins. clear of the north wall. The top of the pillars came about to the same level as the "shelf" mentioned above, and on them, and on the shelf, were laid large flag stones of irregular shapes, except those at the corners which were carefully cut to fit the right-angle, and the stones at the edges which approximately fitted the "shelf". These flags formed the base for the pavement, and to give a level surface, any discrepancy between the top of a pillar and its surmounting flag-stone was made good with broken flue pipe and mortar. It is here interesting to note that the flags were simply laid on the "shelf" and in no way fixed with mortar.

Above the flagstones was a 2 in. layer of red mortar, surmounted by  $\frac{1}{2}$  in. of cement, and finally the pavement itself, the latter measuring 12 ft. 6 ins.  $\times$  7 ft. 10 ins.

Running around the wall, except in the north-western corner, and across the greater part of the eastern side, was a slot let into the central rubble and mortar, and the greater part of this slot was filled with plaster and the remains of twigs and grass. Portions of decorated wall plaster were also obtained.

The foundations of the eastern wall of Room I were present in small part only, to allow for the entry of hot air from the hypocaust, of which one complete tile and several parts of tiles remained, together with a little ash. From the ash a coin was recovered. A coin was also found in the eastern footings, these two were respectively ;

*Constantine I Circa 330-5*

*Ob.* Constantinus—Bust to the right, laureate, (draped)

*Rev.* Gloria Exercitus—Two soldiers, two standards  
M.M. illegible.

and ;

*Ob.* Urbs Roma—Helmeted bust of Roma to left

*Rev.* Wolf and twins ; M.M. illegible.

The identification of these coins was kindly carried out by Mr. Phillip Corder. Also from the hypocaust ash came a piece of white painted Castor Ware pottery.

In the northern wall were set two flue pipes, connected with the space beneath the floor, which space was lined, with the exception of its upper surface, with red mortar impregnated with small fragments of tile or flue pipe. Between the two flue pipes

and closer to the western one was the cement threshold of a doorway, communicating with Room II to the north. The accumulation of carbon in the foundations was small, giving the impression of restricted use of the heating system. The inner sides of the room wall sloped outwards at a small, but most regularly maintained angle.

A final point of interest concerning Room I was, that when taken apart, every course of stones, the foundation layer of mortar, and the mortar on which the pillars rested were, as far as could be ascertained with a straight-edge and spirit-level, dead level.

### *Room II*

Little can be said about the construction of the walls of this room because they had almost completely vanished, the area being delineated by the edge of the island. It was, however, apparent that they had not been keyed to the walls of Room I, but were simply built up to it in a butt joint. (Plan II).

The pavement, at the time of excavation, measured 12 ft. 6 ins.  $\times$  11 ft. 6 ins., but some portion to the north was missing, probably about 20%.

There was no heating system attached to this room. Working down, however, from the pavement to archaeological bottom, there was first a thin layer of red, then a thin layer of white mortar, both of half an inch in thickness; below these were three inches of mortar and small pebbles, followed by a comparatively thick strata of natural sandy soil and stones, in which were found a dozen or so ox ribs and vertebrae. The thickness of this layer varied from 6 ins. in the centre to 9 ins. at the edges. In the lower region of this soil were the first signs of post holes, there being a large one, some 4 ins. in diameter, almost in the centre of the room. Three more post holes were also in evidence though they were smaller, two measuring 2 ins. diameter and the other one being 1 in. diameter. These were distant 3 ft. 3 $\frac{3}{4}$  ins. to the west, 3 ft. 7 ins. and 3 ft. to the north-west respectively, from the large central one. The largest post hole penetrated from the sandy soil, through a mortar floor, laid down in two layers, and some 3 ins.—4 $\frac{1}{2}$  ins. in thickness, the thickest portion being about the hole; then through a 4 ins. layer of stones, irregular in size but roughly shaped and laid; finally passing through a 3 $\frac{1}{4}$  ins. bed of loamy soil, and coming to an end on the upper surface of a  $\frac{1}{2}$  in. layer of black ash, thus covering a total distance of 1 ft. 1 in. The smaller post holes penetrated only to the surface of the loam layer. From the loam were recovered two iron nails, a fragment of glass, and a small sheet of lead. The above-mentioned ash overlay 1 in. of bright red clay which had the appearance of being burnt; this could have been induced by water percolating through the ash. Below the clay was archaeological bottom. The clay, ash, and lower part of the loam were sunk in a most regularly cut hole of the same area as the room above, higher



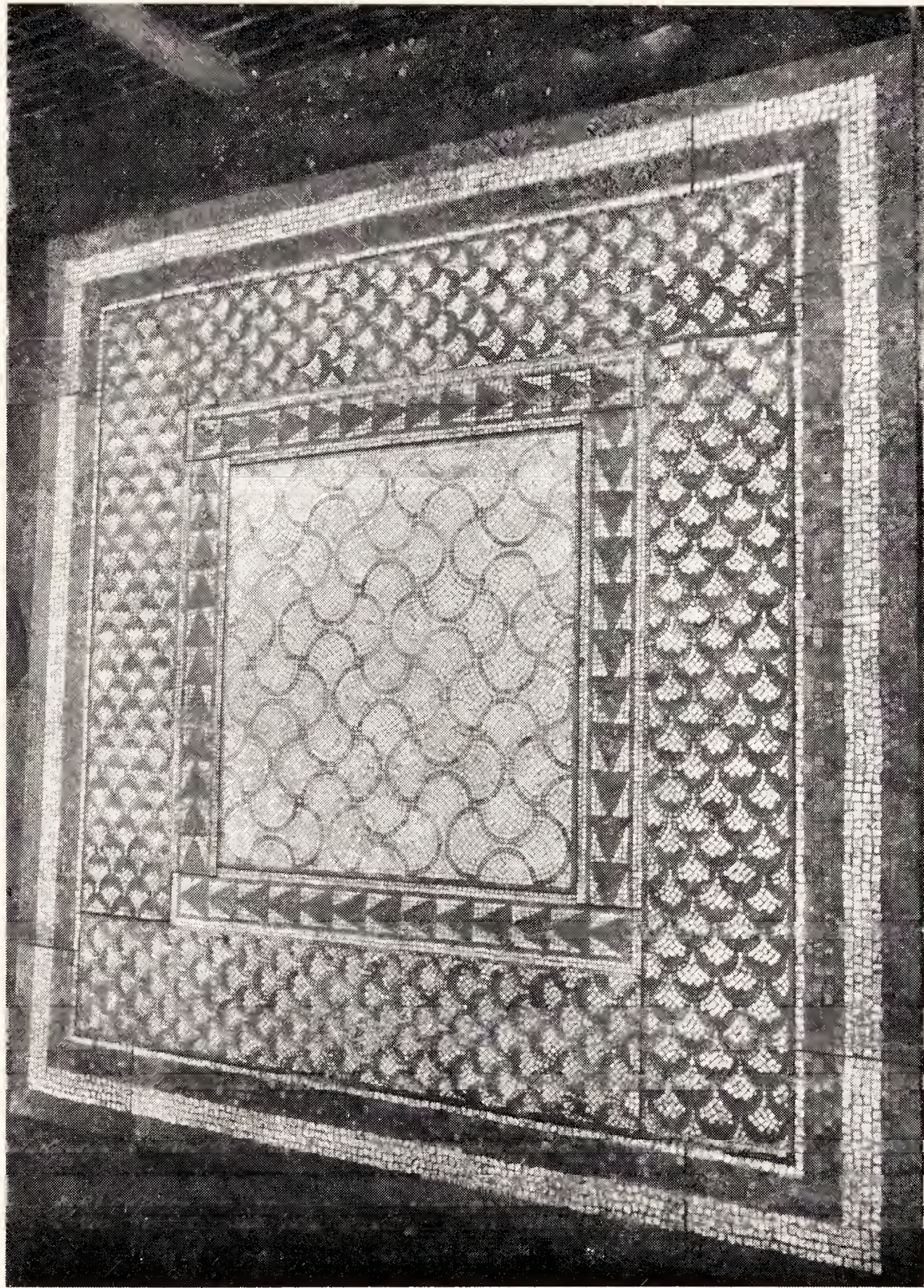


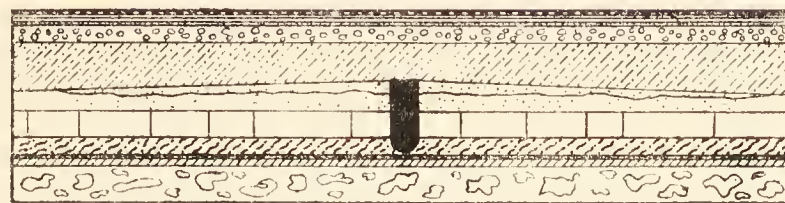
FIG. IV. (Hull Museum Committee). Roman Villa, Brantingham.  
Pavement from Room II. Set up temporarily in the Guildhall, Kingston-upon-Hull.



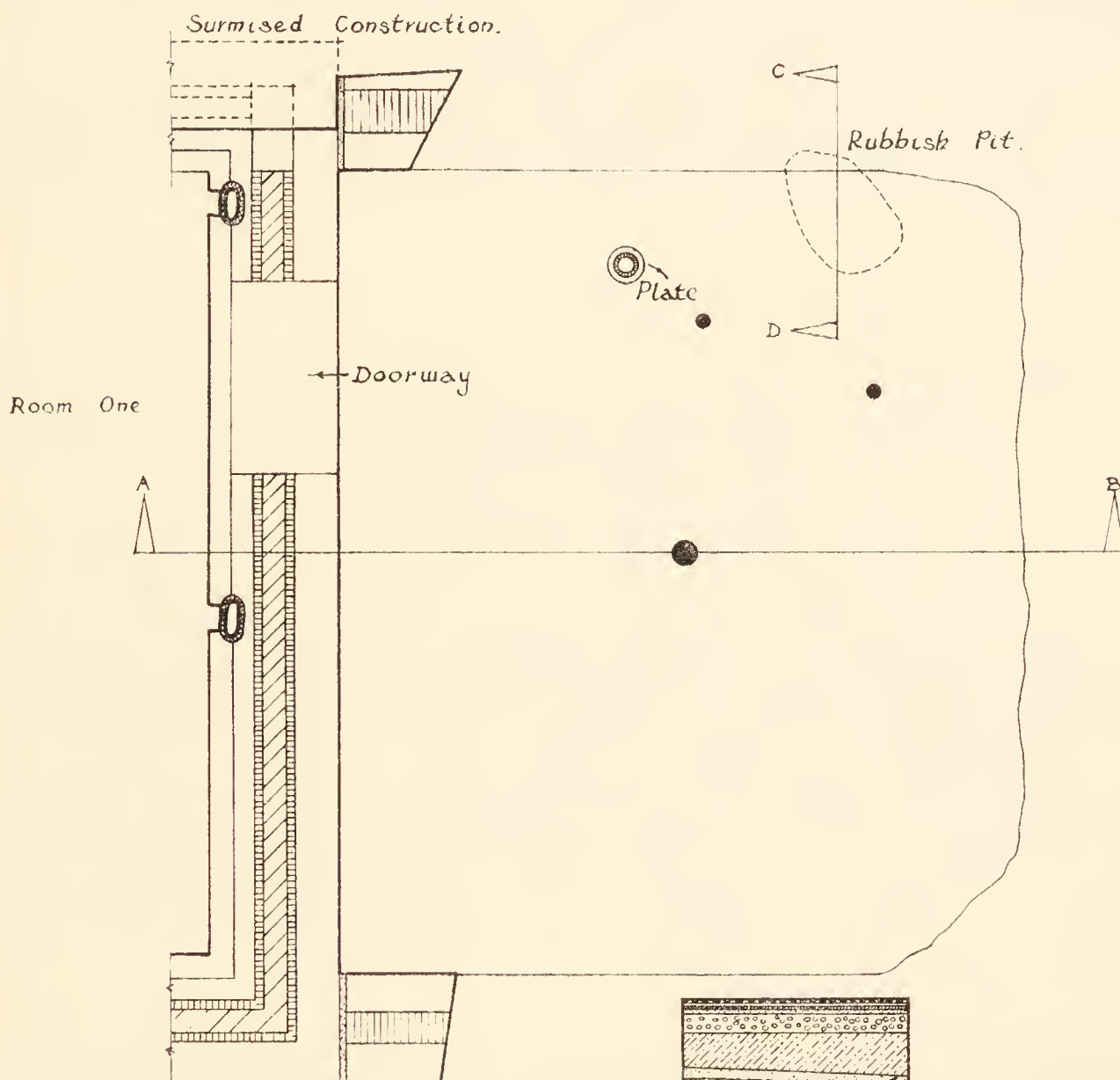




layers may also have been sunk in this hole but erosion had destroyed any evidence for this.

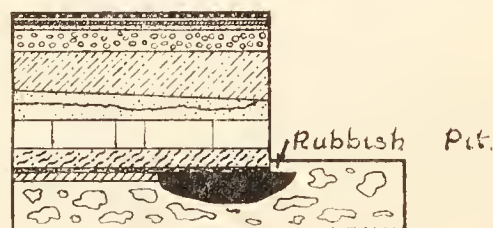


ELEVATION A - B



PLAN 2

ELEVATION C - D



# ROOM 2

Scale 1/2" to 1'·0"



## KEY

- |               |             |                  |                        |
|---------------|-------------|------------------|------------------------|
| Stone         | Pavement.   | Post Holes.      | Mortar & Small Stones. |
| Red Mortar.   | Black Ash   | Loamy Earth.     | Undisturbed Earth.     |
| White Mortar. | Local Clay. | Bright Red Clay. |                        |

Drawn by C. H. Hutton.

Beneath the western edge of the floor, about half way along it and extending beneath the ash for a distance of 1 ft. 6 ins., and to a depth of 4 1/4 ins. was a rubbish pit, from which were

recovered 6 iron objects ;—2 hones, a spindlewhorl, a fragment of glass, and a small piece of bronze sheet (see Mr. P. Corder's report).

All the material, photographs, and drawings are now at the Mortimer Museum, Carr Lane, Hull.

*Addendum.*

Since the report on this interesting villa was written, this pavement from Room II, now in the possession of the Hull Museums Committee, has been set up for exhibition, temporarily, in the Guild Hall, Kingston-upon-Hull.

The work was carried out under the direction of Mr. J. B. Fay, Director of the Hull Museums, and we are indebted to him for the use of this photograph to illustrate the beauty of the pavement.

## COIN HOARD, MARR THICK, Nr. DONCASTER.

By NORMAN SMEDLEY.

In March, 1949, 21 coins were found by two agricultural workers, William and Peter Roughley, on land belonging to Capt. C. Grant-Dalton, of Brodsworth Hall, in the tenency of Mr. Peter Turnbull, of Bilham House. (Nat. Grid Ref. 43/498048).

For some hundreds of years this land, known as Marr Thick, has been woodland, bounded on the west by the Roman-British Way. Recently the trees were felled, the roots removed by the action of bull-dozers, and the land ploughed and disc-harrowed, and it was whilst removing stones from the surface that the coins were seen.

Subsequent search by Mr. Turnbull, Professor C. E. Whiting, the writer and a party organised by the Doncaster Museum, brought to light a further 41 coins and two rings, apparently of silver or an alloy, joined by a link of similar metal. These rings were in close association with the coins and encrusted like them with oxychlorides. Pieces of pottery of Romano-British type, showing some green staining and the blurred imprint of a coin, make it certain that the coins formed part of a hoard, and the ground nearby is littered with pottery sherds. The whole area is of some interest, and investigations now proceeding, including a survey of the Roman roads in the area, will be the subject of a further note.

On December 1st, 1949, the District Coroner, Mr. W. H. Carlile, held an inquest at which the jury held the find to be Treasure Trove.



During February, 1950, Mr. Turnbull found a further 8 coins, bringing the total to 70.

All the coins were antoniniani of the third century.

The distribution over imperial personages is as follows :—

SALONINUS (Son of Gallienus)	1
GALLIENUS (Sole Reign : A.D. 259-268)	5
SALONINA (Wife of Gallienus)	2
POSTUMUS (Gaul : A.D. 259-268)	4
CLAUDIUS II GOTHICUS (A.D. 268-270)	18
VICTORINUS (Gaul : A.D. 268-270)	18
QUINTILLUS (A.D. 270)	2
TETRICUS I (Gaul : A.D. 270-273)	18
TETRICUS II (Son and Associate of Tetricus I)	2
	<hr/>
	70
	<hr/>

These 70 coins represent 47 different types.

The coin of Saloninus represents a variety apparently hitherto unpublished, the obverse legend SALON. VALERIANUS CAES. with the reverse SPES PUBLICA.

Another apparently new variety is a coin of Claudius II Gothicus with the reverse LAETITIA AUG. showing the mint-mark  $\times | 1$ ; this appears to be a variant of the Rome mark :  $| \times 1$

A variety with the obverse IMP. CLAUDIUS AUG, Radiate cuirassed bust, right, with reverse VIRTUS AUG., is also included. This coin usually bears the radiate head without cuirass.

One coin of Claudius bears a reverse of LIBERTAS with pileus and sceptre, hitherto known only with a commemorative obverse, but in this case with an obverse of the type used during the Emperor's life-time.

## CATTERICK BRIDGE—A ROMAN TOWN.

By E. J. W. HILDYARDE, F.S.A. AND W. V. WADE, M.A., F.S.A.

In the full report of trial excavations carried out on the Roman site at Catterick Bridge during April 1939, it was suggested that the walls might enclose not a fort, but a town.

In each of the last five years Dr. J. K. St. Joseph, F.S.A., Curator in Aerial Photography, University of Cambridge, has examined the site from the air, and he reports that only in the exceptionally dry summer of 1949 were any buried features visible. Photographs then taken (Figs. I & II) show the course of the Town wall, the street plan and buildings over a wide area. These are visible at parch marks in the rough grass covering the site.

These photographs (Photos Nos. D.Q. 80 & D.Q. 84 Cambridge University Collection) are reproduced by permission and make it clear that the site was, at any rate in its latest form, a town.

Fig. 1 shows the S.E. corner lying beneath the Race Course, the line of the South Wall, the obtuse angle of the S.W. corner, and the N.W. course of the wall from that corner. This confirms the plan made in 1939. The re-entrant angle at the point where the wall makes a turn West is also just visible in Fig. 1, but is more clear on Fig. 2.

The Ordnance Survey maps (1/2500 Yorks. : N.R. Sheet LIV/3 and the 6 in. Sheet LIV. N.E.) show the Roman North Road making a change of direction northward within the town, soon after entering the South Gate. The Air Photograph (Fig. I) shows that this is incorrect and that the road, after entering the South Gate, continues on the original line as far as the northern limit of the town. A change of direction is made northward by this road at the River Swale and both Figs. 1 & 2 show the road following its more northerly course on the north side of that river.

In view of the exceptional interest of this site it is hoped that the greatest possible amount of time will be given by the authorities for its excavation before the proposed bye-pass road is constructed. It is very necessary that the part of the Roman town which will be destroyed is excavated and planned with care. If, of course, the direction of the proposed road be modified to leave the site intact it will be much more satisfactory.

### NORTH RIDING.

HEALAM BRIDGE. (O.S. 6 ins. Yorkshire (N.R.), sheet lxxxvi, N.E.).

Immediately south of Healam Bridge, where the Great North Road crosses the Healam Beck, an unrecorded Roman occupation site was located in the course of road work during the Spring of 1949. The site lies practically mid-way between Aldborough and Catterick, and has produced a considerable amount of pottery together with animal bones and a single fragment of flue-tile. The use of mechanical grabs made observation difficult; no structural remains have been located nor reported by workmen. On present evidence occupation appears to commence in the early years of the second century, as indicated by Samian Forms 15/17 (a single example), 27, 18/31, 31, and 37, together with sherds of rustic ware and a coin of Hadrian (M. and S. 718). The bulk of the pottery is later and comprises much calcite-gritted ware, mostly of "Hunt Cliff" type, but including earlier forms, Crambeck types 5, 7 and 8, indented and bulbous colour-coated beakers, and a few sherds which most likely may be attributed to the recently discovered third century kilns at Norton. A coin of the Urbs Roma type (Cohen 17/18) is also recorded.



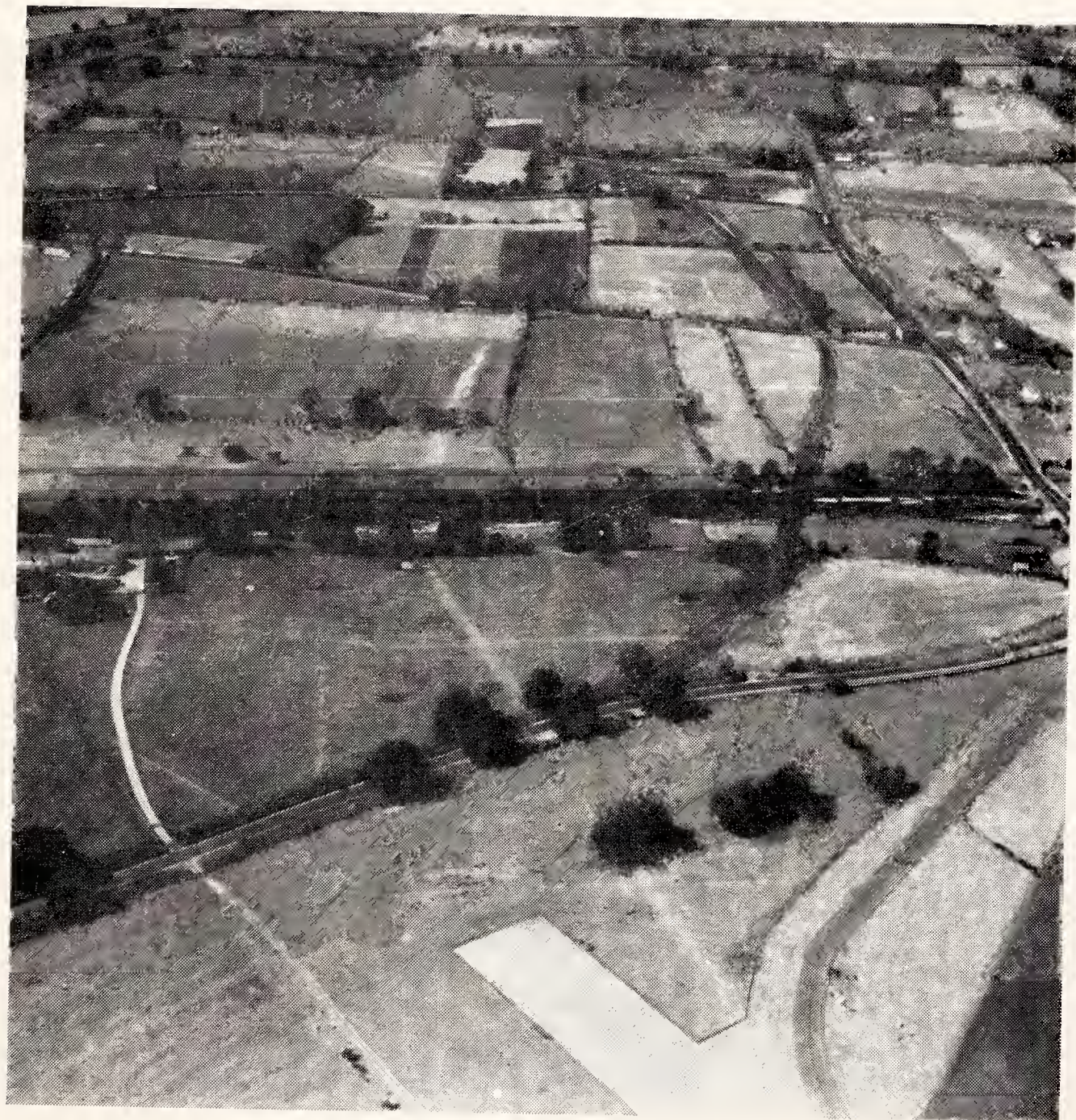


FIG. I.









FIG. II.







It may be well to point out that a considerable amount of soil from the Healam Bridge site has been used as make-up at various places along the Great North Road, particularly north of Sinderby Station, and future finds of Roman material from these tipplings should be attributed to their true source.

KIRKLINGTON. N.R. Yorks. (O.S. 6 ins. Yorkshire (N.R.) sheet lxxxvi, S.E.).

A bronze brooch of late first—early second century type has been found in gravel workings in Yamagarth, north of Kirklington village. This appears to be an isolated discovery, and an inspection of the site has revealed no indications of Roman occupation.

The brooch has a straight strip bow, ornamented with two incised lines, and solid catch-plate. The bilateral spring is protected by a cover, with transverse mouldings, the chord being held in a loop.

WELBURN. (O.S. 6 ins. Yorkshire (N.R.) sheet cxxiii, S.E.).

North East of Welburn village, in the S.W. corner of the third field E. of the junction of Water Lane and the track from Old Crambeck Bridge, ploughing in 1948 revealed a widespread scatter of Roman pottery. The site lies only a mile N.W. of the kilns near Castle Howard Station and, in fact, Crambeck types 1, 2a, and 10a are the pottery forms chiefly represented. A barrel-shaped bead of jet, probably Roman, was also found.

N.B.—For reference to Crambeck type pottery see *Antiq. Journ.* xvii, 398.

D. M. WATERMAN.

### EAST RIDING.

BESSINGBY HILL, Near BRIDLINGTON.

Members of the Bridlington Augustinian Society have been engaged in excavations on the 4th century Romano-British site revealed by building operations. The site is situated in the area bounded on the north by the Driffild-Flamborough Road, on the eastward by the road leading to Carnaby Station, and on the southward by the Scarborough-Hull Railway. The Clerk of Works, Mr. Taylor, informed the Mayor of Bridlington, Councillor F. F. Milner and the Augustinian Society was approached.

Four "sites" were revealed.

Site "A" produced pottery of the Crambeck type from drainage trenches. Two portions of querns appeared and a stone slab, circular in shape, approximately 28 ins. diameter, with central hole.

Site "B" consisted of broken pottery in heaps, mainly black ware (calcite), red pot with black core, a little cream ware, rim fragments (red) of large urn type vessels and some greenish-blue ware. All were dug from a bank where a road had been cut.

Site "C" was a burial, found in digging a water main. The men had removed all the bones but the sides of the trench and a little excavation gave the size, etc. The bones were those of a human male aged approximately forty years and were contemporary with the site.

Site "D" produced erratics in the spoil of an electric-cable trench. Digging commenced and a floor of rough erratics, chalk boulders, has been partially uncovered.

Among the finds have been :—

Three coins—two of Constantine ; much pottery, including some possible iron age cooking pots ; two possible ovens ; two querns ; some corn. A rubbish pit—only pottery in it.

Many animal bones, including two beasts' skulls—halves—in each case under stones.

Two iron implements ; two iron pieces (?) loom weights.

Several burnt gobs of clay ; pot boilers.

No sign of post holes or daub appeared, but traces of fire over much of the site. Several flints of quite good quality and a core also appeared, and 2 borers. These seem to suggest the possibility of two similar sites.

E. MELLOR.

#### NORTON, Near MALTON.

Two more pottery kilns have been found since the publication of Mr. R. H. Hayes's report in the *Y.A.J.*, Vol. xxxvii, Pt. 146, pp. 235-236.<sup>1</sup>

In September, 1949, work was still proceeding on the Model Farm Housing and on the east side of Howe Road, almost exactly opposite the electricity sub-station another series of kilns and pits appeared in a drainage trench. The trench was only open for a few days and no excavation was possible, but at least two kiln flues were cut and possibly a third, at a depth of 2-3 ft. below the turf, the first flue being 80 ft. S. of hydrant 4/5. The mouth of the flue was 15 ins. wide with 12 ins. of soft red clay on top. From this Mr. D. A. Smith obtained a good portion of a carinated cup (Norton type 10). To the west were traces of a foundered kiln, wall and dome fragments in a mass of burnt and soft red clay, fine black ash below. In this layer a few sherds of a brown texture, differing slightly from the usual Norton type. Workmen told of finding similar pottery N. of the manhole ; also traces of clay kiln furniture.

In October, 1949, the site of Kiln 1, Grove Bungalow, Langton Road, was examined and Col. Pugmire, showed us a quantity of Norton type sherds dug up in a pit in his hen-run. He said these continued under the fence into the adjoining field. Mr. Sutton, the owner of the field, permitted excavations and a trench 32 ft. × 7 ft. was dug to a depth of 4 ft. 6 ins. to 5 ft. to undisturbed

<sup>1</sup> Also Roman Malton and district. Rep. No. 7.



sandy gravel. Sherds of 4th century date appeared at the west end and two tiny coins, also desultory areas of trodden earth and light cobbled patches. Trial trenches near the hen-run produced traces of a kiln furnace wall 2 ft. 6 ins. below the turf. It was 2 ft. 6 ins. in diameter, and sherds were found tightly packed within.

Norton series types :—1, 1a, 1b, 2a, 2b, 4, 5, 6, 7, 8, 9 and 12. This kiln may be the first of a new group.

January, 1950. Further excavations at the Grove Bungalow, Langton Road, gave additional details of the pottery Kiln 1.

This stone-lined floor of the furnace was examined by Mr. G. C. Dunning of the Ministry of Works, who advised us to remove it. This was done and underneath, set in soft grey clay, was a complete quern stone. It was funnel-shaped, 18 ins. in diameter at the base, with central hole 1 in. in diameter at the top. It was made of sandstone. The original floor of hard, baked clay was found below the quern and beneath this was soft red clay and the natural sand. Depth of furnace from highest part of surviving wall—3 ft. 2 ins., and 3 ft. 5 ins. to the undisturbed sand. The diameter of the base was 2 ft.

There were also two parallel pockets in the clay sides of the furnace 15 ins. above the base, each about 7 ins. long and 3 ins. wide.

The removal of the walling west of the kiln revealed a coin of Claudius II (A.D. 268-70) lying on the mixed sandy soil, just above the natural sand 3 ft. from turf. This was an Antoninianus.

*Obv.*—IMP CLAV (DIVS) P.F. AVG. Radiate and draped bust. R.

*Rev.*—VIRTVS AVG. Mars walking R. holding spear and trophy (Mint of Mediolanum)

(cf. M. & S. 172)

This would confirm the dating of the kilns to the 3rd century. In the upper stonework of the surface was found a coin of Helena A.D. 306-328 (Wife of Constantius Chlorus)

*Obv.*—FLIVL (HE(LEN)AE AVG. Diademed and draped bust R.

*Rev.*—(PAX) PVBLICA. Pax standing L. with olive branch and transverse sceptre.

(cf. Cohen 4)

The coins and quern are in the Museum.

Thanks are due to Mr. John Grayson of Crofton Lane for help with the excavation and for finding coin No. 1.

This report is summarised from the notes of Brig.-Gen. Sir E. N. Whitley and Mr. Raymond H. Hayes.

## WEST RIDING.

## BOROUGHBRIDGE.

During the laying of a new gas main in the road between Boroughbridge and Aldborough, workmen ran across a portion of ancient road, possibly Roman. This was found in a trench 2 ft. wide, and unfortunately had to be destroyed.

"The Roman Road was discovered 3 ft. down when making a trench for a new gas main. It was destroyed as they had to get beneath it.

The cobble stones were very firmly fixed in some kind of cement and a drill had to be used to break the road up. It was struck just at the point where is now placed the 30 m.p.h. limit board, and it was lost again when they reached a spot where a gas syphon was put in. The approximate length was 20 yards and the foreman thinks they must have struck the road at an angle. At no point was the full width of the road revealed".

M. LAWSON-TANCRED.

## BOSTON SPA.

In February, 1949, a Roman coin was found by a workman when laying a gas main in Middle Lane. The find was made at the north corner of Clifford Road at its junction with Middle Lane, at a depth of 3 ft., in a pocket of tipped soil.

It is a denarius of Hadrian :—

HADRIAN 117-138 A.D.

*Obv.*—Head to R. HADRIAVS . . .

*Rev.*—Seated female to L. holding sword (or spear) and patera. Wreath in right hand.

COS. III.

In 1942 a similar coin was found 100 ins. away, but was lost. The position of the find was in direct line with the recently found coin, and also with reputed position of the Boston Hoard. This gives us a series of finds running along the route of the Roman Road mentioned by Carroll in the "Gentleman's Magazine" 1862. This road runs to the south of the Roman Camp at Newton Kyme and west to the villa at Compton.

C. E. Fox.

## POLLINGTON, Nr. SNAITH.

During quarrying operations in November 1949, at Pollington, a massive stone coffin was brought to light.

On investigation it was found to contain a gypsum interment, similar to those found at York some years ago. Parts of the gypsum cast are intact, and a skeleton is present.

The coffin, of grit-stone varying in thickness from 5½ ins. to 6½ ins., was lying in an east-west position, and probably dates from the late 4th or early 5th century. It would appear to indicate the site of a Romano-British villa.



It is proposed to remove the find to Doncaster Museum.  
A fuller report will be given later.

NORMAN SMEDLEY.

## SHEFFIELD.

Mr. J. W. Baggaley, Director of the City Museum, reports the following :—

In the autumn of 1949 a Roman coin was found in the Ewden Valley by a market gardener and taken to the Museum for identification. It proved to be a sestertius of ORBIANA, 3rd wife of Alexander Severus, whom she married in 226 A.D.

### ORBIANA.

*Obv.*—Bust to R.

SALL. BARBIA ORBIANA AVG

*Rev.*—Concordia seated L., holding patera and double cornucopiae

CONCORDIA AVGUSTORVM S.C.

In May, 1950 a Roman coin was found in the garden of 113, Butterthwaite Road, Shiregreen, Sheffield 5.

This proved to be a sestertius of TRAJAN.

### TRAJAN 98-117 A.D.

*Obv.*—Head to R. bust draped.

IMP. CAES. NERVAE. TRAIANO. AVG. GER.

DAC. P.M. TR. P. COS. V. P.P. (A.D. 103-111)

*Rev.*—Ceres standing L., holding ears of corn and torch ; at her feet Modius.

S.P.Q.R. OPTIMO. PRINCIPI.—S.C.

## ROTHERHAM.

In 1928 the Technical College was built in Howard Street (Nat. Grid. Ref. : 43/43092a). During the excavation for the foundations of a stanchion, some sixteen Roman coins were found. These were given to Mr. Norman Hill, of Rotherham, who is a well-known student of postal history. Mr. Hill kept the coins for some years and eventually he gave me the five which still survived. These were sent to the British Museum for classification and are now in the Rotherham Museum.

The Technical College is situated on the west side of Howard Street, formerly Pigeon Lane. On the north of the College is the ancient and narrow College Lane, taking its name from the College of Jesus, founded 1482, by Thomas Rotherham, Archbishop of York 1480-1500. The Technical College thus abuts on to the grounds of the College of Jesus, and facing east, looks along the modern Eastwood Lane which runs more or less on the line of the old lane of that name, leading to the Manor House of Eastwood, now Eastwood Farm. About a quarter of a mile north and east of the farm a modern footbridge spans the Don, and leads

thence to the ancient Rawmarsh Road. Near this point, on the south bank of the Don, Eldon Road, runs parallel to the river and in a garden of a house on the north side of this road thirty or forty Roman coins were found in 1875.<sup>1</sup>

I append the list of the Technical College coins :—

No. 1            CONSTANS. A.D. 337-350.

*Obv.*—Head to R.

D.N. CONSTANS . . . .

*Rev.*—Emperor holding labarum in a galley steered by Victory (c. 350)

FEL. TEMP. REPARATIO.

Nos. 2 and 3.            MAGNENTIVS A.D. 350-353.

*Obv.*—Head to R.

DN. MAGNENTIVS P.F. AVG.

*Rev.*—Two Victories holding shield inscribed  
VOT. V. MVLT. X.

VICTORIAE. D.D. N.N. AVG. ET CAES.

Treveri Mint

No. 4.            MAGNENTIVS A.D. 350-353.

*Obv.*—Bare-headed bust to R.

DN. MAGNENTIVS. P.F. AVG.

*Rev.*—Emperor standing holding labarum and crowned by Victory.

FELICITAS REIPVBLICE.

Treveri Mint.

No. 5.            JULIAN II. A.D. 355-360.

*Obv.*—Bare-headed bust to R.

(IVLIAN)US NOB. CAES.

*Rev.*—Warrior spearing falling horseman

FEL. TEMP. REPARATIO.

Treveri Mint.

D. GREENE.

#### ULLEY, Nr. ROTHERHAM.

Mr. S. Johnson, of Brinworth, near Rotherham, reports the find of two Roman coins at Ulley, by Mr Harry Blades. "Stoneleigh", Main Street, Ulley, in a small croft known as "Bates" or "Beech Yard". This is adjacent to the main street and also to the footpath leading to Upper Whiston (Nat. Grid. Ref. : 43/464875).

These were sent to Mr. N. Smedley, M.A., Director of Doncaster Museum who classified them as follows :

<sup>1</sup> H. A. Copley MSS.



## No. 1. DOMITIAN 81-96 A.D.

Denarius.

*Obv.*—IMP. CAES. DOMIT. AVG. GERM. P.M. TR. P.V.  
Laureate head to R.

*Rev.*—IMP. XI. COS. XII. CENS. P.P. P.

Minerva R. brandishing javelin and holding shield.

Rome. A.D. 86.

M. & S. 73.

## No. 2. Sestertius.

Too defaced for certain identification. Possibly Domitian.  
Rev. may be Moneta.

[These are the first Roman coins recorded at Ulley but spurs, battle-axes and a pavement were found in the early 19th century on Guilthwaite Common, south of Ulley. These are mentioned in the History of Derbyshire (vol. i, pt. i) by Stephen Glover. Also in 1826 an urn was ploughed up containing about 1,600 Roman coins, chiefly of the period of Constantine the Great. These coins were afterwards dispersed. (Hunter, "South Yorkshire" Vol. i, p. iv and Vol. ii, p. 181).

The actual site of the find is almost half a mile—as the crow flies—from the entrenchment on Guilthwaite Common noted in 1723 by Josiah Beckwith, F.S.A., and reported by the late H. A. Copley in the "Transactions of the Hunter Archaeological Society" Vol. vi, pt. 4, pp. 191-2. D.G.]

## REVIEW

*Early Yorkshire Charters*, edited by Charles Travis Clay, vol. VII. (The Honour of Skipton) 1947 ; Vol. VIII (The Honour of Warenne) 1949.

The two volumes under review carry a great project a stage nearer its completion, and Mr. Clay is to be congratulated, not only on the size of his new contribution, but also on the skill and accuracy with which he has maintained the high standard set by his previous volumes. Some idea of the scope of his undertaking may be given by a bare reference to the fact that the 177 charters in the volume relating to the Honour of Skipton derive from no less than 33 MS. sources in addition to the printed texts which have also been utilized.

The presentation of the texts in both these volumes leaves nothing to be desired, and all aspects of English feudal society are copiously illustrated by them. In fact no general survey of English feudal society can now even be attempted which does not take account of this large body of new evidence. Their value for local history has already become apparent with the publication of the other volumes in this series. Yorkshire is indeed fortunate in having its medieval story evidenced in such detail and with such scholarly care. A word must also be added respecting the indexes which are so important to a work of this nature. These are in every way excellent, and deserve to be compared with the great indexes added, for instance, to Round's *Calendar of Documents preserved in France*, and to the Public Record Office edition of the *Book of Fees*. In themselves, they form a valuable contribution to the study of English feudal genealogy.

The essays and appendixes which, according to his wont, Mr. Clay had added to these volumes, are replete with detailed information. Special attention may perhaps be called to his list of the "early priors of Bolton" (vol. vii, pp. 293-296). But it is probably vol. viii which will prove to be of the more general interest. The problems concerning the family of Warenne are both important and intractable ; they have engaged the attention of a large number of scholars in the past ; and here very many of them receive what will probably be their final solution. Full use has been made of Mr. L. C. Loyd's demonstration of the early forgeries in the Lewes cartulary, and Mr. Clay's essay on that mysterious personage "Gundrada de Warenne" may surely be regarded as pronouncing the last word on that controversial subject. The long genealogical essay of "The early generations of the family of Warenne" (vol. viii, pp. 1-39) is a model of its kind.



Something must also be added about the appearance of these volumes. In these days of shoddy book production it is seemly to record that they have been beautifully produced. The facsimile plates are admirable, and in particular the facsimile of the true foundation charter of Lewes priory is a delight. English historical scholars have cause to feel grateful alike to the editor of these volumes, and to the Yorkshire Archaeological Society which has made possible their publication.

DAVID DOUGLAS.

## TRANSACTIONS, Etc., OF YORKSHIRE SOCIETIES.

*Georgian Society for East Yorkshire*, Transactions, 1948-49, Vol. 2, Part 4. Hull, 1950 ; p. 71.

1. *Notes on some Hull architects of the 18th Century*, by G. Dudley Harbron.
2. "*The Toft*", *High Street, Bridlington*, by Francis F. Johnson.
3. *The Guildhall, Beverley*, by Richard H. Whiteing.

*Hunter Archaeological Society*, Transactions, Vol. 6, Part 5, Dec. 1949. pp. 197-220.

*A field survey of the 'Roman Rig' Dyke in S.W. Yorkshire*, by F. L. Preston. illus. maps.

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